



# BOARD OF COMMISSIONERS

1 S. Main St., 9th Floor  
Mount Clemens, Michigan 48043  
586-469-5125 FAX 586-469-5993  
[macombcountymi.gov/boardofcommissioners](http://macombcountymi.gov/boardofcommissioners)

## AD HOC COMMITTEE TO ESTABLISH A PROCESS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

THURSDAY, JANUARY 29, 2009

### AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Adoption of Agenda
4. Public Participation
5. Review of Boards and Commissions: (mailed)
  - a) Current Listing of Boards and Commissions
  - b) Michigan Statutes
  - c) Current Defined Board Procedures and Rules
  - d) Current Board Practices which have not been Defined by Statute or Board Rules
6. Adopt Framework for Establishing an Appointment Process
7. New Business
8. Public Participation
9. Adjournment

**MEMBERS:** Tocco-Chair, Brown, Bruley, Carabelli, Lampar, Mijac, Sprys, Vosburg and Gielegghem  
(ex-officio)

### MACOMB COUNTY BOARD OF COMMISSIONERS

Andrey Duzyj - District 1  
Marvin E. Sauger - District 2  
Phillip A. DiMaria - District 3  
Toni Mocerri - District 4  
Susan L. Doherty - District 5

Sue Rocca - District 7  
David Flynn - District 8  
Robert Mijac - District 9  
Ken Lampar - District 10  
Ed Szczepanski - District 11

James L. Carabelli - District 12  
Don Brown - District 13  
Brian Brdak - District 14  
Keith Rengert - District 15  
Carey Torrice - District 16

Paul Gielegghem  
District 19  
Chairman

Kathy Tocco  
District 20  
Vice Chair  
  
Ed Bruley - District 17  
Dana Camphous-Peterson - District 18  
Irene M. Kepler - District 21  
Frank Accavitti Jr. - District 22

Joan Flynn  
District 6  
Sergeant-At-Arms

William A. Crouchman - District 23  
Michael A. Boyle - District 24  
Kathy D. Vosburg - District 25  
Jeffery S. Sprys - District 26

## **Boards & Commissions Procedural Notes – 01/28/09**

In general, there are two ways that Boards & Commissions appointments are made. The same basic procedures are followed, with some "tweaks" according to the by-laws or mandates which apply to the specific Board or Commission. The procedure for all Boards & Commissions, as well as all pertinent information applicable to each, are in the attached document. State mandates, laws, public acts, resolutions or information pertaining to the creation and establishment of the Boards & Commissions are included as often as possible.

All questions and information regarding Boards & Commissions is verified through Corporation Counsel.

Please note: the following "practices" are not spelled out specifically within the procedures, however they are routine to the process.

1. Due to a request by the 2007/2008 Board of Commissioners, applications are requested from all persons interested in serving on a Board or Commission, regardless of whether the appointment is at the discretion of the Chair or made by a vote of the Board. Prior, the Chair's appointees did not have to fill out applications.
2. Due to a request by the 2007/2008 Board of Commissioners, attendance records for all reappointments are verified with the managing department by the Chair's office. This information is included on applications. Prior, this information was not included.
3. When commissioners are given a 60-day and subsequently a 30-day notice of an upcoming vacancy on a Board or Commission, a copy of those notices are placed in the Public Affairs mailbox for the purpose of notifying the public via appropriate media outlets.
4. Upon approval of appointments, Public Affairs is notified so that websites may be appropriately updated and maintained.

### **Basic procedure followed for Board Chair appointees:**

- The Chair's office notifies the Director of the Managing Department of the expiration of any members and asks for a recommendation.
- Appointees submit a completed Application for Appointment to Chair's Office
- The Chair's office prepares a memo for inclusion in the Commissioners' packets, nominating the appointee and asking for their concurrence at the next Full Board meeting. The memo and application should be given to Corinne at least 10 days prior to the meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

**Basic procedure followed for Vote of Board appointees:**

- The Chair's office issues a 60-Day YELLOW ALERT to all Commissioners and the Director of the managing department.
- The managing department sends letters to members with terms expiring within 60 days.
- The Chair's office issues a 30-Day MEMO, with an attached blank Application for Appointment form to each Commissioner. Chair's office checks with managing department to ascertain if any reappointment applications are expected.
- Applications should be given to Corinne at least 10 days prior to the Full Board meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to the Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

Please note: Either of the above represents a general procedure; for information pertaining to each Board & Commission, see notes.

###

- 2009 -

## **BOARDS AND COMMISSION APPOINTMENTS**

### **AREA AGENCY ON AGING**

#### **Macomb County Representatives:**

**Vacant**, Delegate

Term expires December 31, 2010

**Vacant**, Alternate

Term expires December 31, 2010

#### **Macomb County Older Adult Representatives:**

Jerry DeMaire, Delegate

Term expires December 31, 2009

### **BOARD OF CANVASSERS**

Joanne Paraventi (R)

Term expires November 1, 2009

Michelle DeBeaussaert (D)

Term expires November 1, 2009

Douglas Wozniak (R)

Term expires November 1, 2010

Patricia Bill (D)

Term expires November 1, 2010

### **BROWNFIELD REDEVELOPMENT AUTHORITY**

David Scurto

Term expires September 30, 2009

Dean Olgiati

Term expires September 30, 2009

Dan Langley

Term expires September 30, 2009

Dana Camphous-Peterson

Term expires September 30, 2010

Mike DeVault

Term expires September 30, 2010

Cynthia Manciero

Term expires September 30, 2010

Robert Sawicki

Term expires September 30, 2010

Glenn Wynn

Term expires September 30, 2011

Otto Wilhelm

Term expires September 30, 2011

**Vacant**, Ex-Officio

(Chair, Planning and Economic Development Committee)

### **BUILDING AUTHORITY**

Bernard Calka

Term expires December 31, 2009

Jerry Dancey

Term expires December 31, 2009

Thomas Landa

Term expires December 31, 2009

Robert Soulliere

Term expires December 31, 2009

Adam Nowakowski

Term expires December 31, 2009

Martin Smith

Term expires December 31, 2009

Ted Wahby

Term expires December 31, 2009

### **CIVIL SERVICE COMMISSION**

Diane "Mickey" McGee (D)

Term expires December 31, 2011

Robert Stanley

Term expires December 31, 2012\*

**Vacant** (R)

Term expires December 31, 2014

George Brumbaugh, Jr.

Corporation Counsel

Robert Nyovich

Legal Counsel to the Sheriff

*\*(elected by Sheriff's Office employees – no Board action required)*

## **MACOMB COMMUNITY ACTION ADVISORY BOARD (MCAAB)**

### **Public Officials**

Eudora McKinney (for Commissioner Dana Camphous-Peterson)  
Commissioner Joan Flynn  
Peggy Kennard (serving for Commissioner Susan Doherty)  
Linda Girolamo (serving for Commissioner Marv Sauger)  
Betty Slinde (serving for Commissioner Kathy Tocco)  
Commissioner Carey Torrice  
Commissioner Jeffery Sprys  
Paul Gielegheem, Ex-Officio

### **Representatives of the Consumer Sector**

Tammy Patton	Nellie Martin
Norman Bordo	Denise Amenta
Pastor John Mack	Janice Lowe
Alice King	

### **Private Sector Representatives**

Hazel Rivers	Jessica Cheshire
John Bierbusse	Ronald Chriss
Mary George	Debi Schroeder
Fran Sturtz	

## **COMMUNITY CORRECTIONS ADVISORY BOARD**

Sheriff Mark Hackel	By virtue of office
Prosecutor Eric Smith	By virtue of office
Erin Smith - Probation Dept.	Term expires March 31, 2009
Chief Michael Reaves – Chief of Police	Term expires March 31, 2009
Randy O'Brien – Substance Abuse	Term expires March 31, 2009
Hon. P. Gilbert O'Sullivan – Probate Ct.	Term expires March 31, 2010
Hon. Joseph C. Oster – Dist. Ct.	Term expires March 31, 2010
Hon. Peter Maceroni – Circuit Court	Term expires Dec. 31, 2010
Lillian Adams – Business Community	Term expires March 31, 2011
Judge John Bruff – Public	Term expires March 31, 2011
Stephen Rabaut – Criminal Defense	Term expires March 31, 2011
Commissioner Keith Rengert	Term expires March 31, 2011
Richard Kelley – Communications Media	Term expires March 31, 2011

## **COMMUNITY MENTAL HEALTH SERVICES BOARD**

Betty Slinde	Term expires March 31, 2009
Del Becker	Term expires March 31, 2009
Joan Flynn	Term expires March 31, 2009
Brian Negovan	Term expires March 31, 2009
Patricia Bill	Term expires March 31, 2010
Louis Burdi	Term expires March 31, 2010
Michael Heafield	Term expires March 31, 2010

Rose Mrosewske  
Kathy Vosburg  
Mary Louise Daner  
Nick Ciaramitaro  
Janice Wilson

Term expires March 31, 2010  
Term expires March 31, 2011  
Term expires March 31, 2011  
Term expires March 31, 2011  
Term expires March 31, 2011

#### **CRIMINAL JUSTICE BUILDING AUTHORITY**

Lester Gilbert  
Chris Pozios  
Timothy Rinaldi

Term expires December 31, 2009  
Term expires December 31, 2009  
Term expires December 31, 2009

#### **ECONOMIC DEVELOPMENT CORPORATION (EDC)**

Ed Hoover	6 Year	Term Expires July 31, 2009
Grace Shore	4 Year	Term Expires July 31, 2009
Howard Abbott	3 Year	Term Expires July 31, 2010
Arthur Mullen	5 Year	Term Expires July 31, 2011
Mike DeVault	6 Year	Term Expires July 31, 2013
Peter Lund	6 Year	Term Expires July 31, 2013
Betty Slinde	6 Year	Term Expires July 31, 2013
Ted Wahby	6 Year	Term Expires July 31, 2013
Doug Wozniak	6 Year	Term Expires July 31, 2014
Carabelli/Bruley, Ex – Officio		

(Chair, Planning and Economic Development Committee)

#### **EMERGENCY MEDICAL SVCS MEDICAL CONTROL AUTHORITY/ BOARD**

##### **Authority Members**

Bruce Thompson, D.O.  
Jeanette Youngblood  
Jerry Grieb, D.O.  
Michael Tawny, D.O.  
Glen Clark, M.D.  
Linda Zagacki, R.N.  
Curt Wimmer, M.D.  
David Sessions  
Harry Aretakis, M.D.  
Mike Cervenak

##### **Board Members**

Michael Holland  
Thomas Kalkofen  
Kent McLocklin  
Shirley Sayles  
Michael Pachla  
Mike Lopez  
Brian Walker  
James DiMaria  
**Vacant** (*Board appointed*)  
Greg Childs (*Board appointed*)  
Thomas Owczarek (*Board appted*)

#### **UNITED WAY FEMA BOARD**

Susan Doherty  
Joan Flynn

Commissioner Delegate  
Alternate

## **FRIEND OF THE COURT CITIZEN ADVISORY COMMITTEE**

### **Vacant**

Michael Sylvester  
Marc DeRush  
Denise Greiner  
Carmine Palmieri

Karen Russel  
Eric Smith (Ex-Officio)  
Mark Hackel (Ex-Officio)  
Angelo Nicholas (Ex-Officio)

## **HEALTH DEPARTMENT HEARING BOARD**

**Vacant** (*Dana Camphous-Peterson*)

**Vacant**, Alternate (*Sue Rocca*)

**Vacant**, Citizen-at-Large (*G. Penna*)

**Vacant**, Alternate Citizen-at-Large  
(*Dr. Amboyer*)

Term expires December 31, 2010  
Term expires December 31, 2010  
Term expires December 31, 2010  
Term expires December 31, 2010

## **HISTORICAL COMMISSION**

Ray Glime

Don Green

Marian Lynch

Frederick Gemmill

Alan Naldrett

Karl Mark Pall

Suzanne Pixley

Commissioner Kathy Vosburg

**Vacant – Commissioner designation**

Term expires October 31, 2009  
Term expires October 31, 2009  
Term expires October 31, 2009  
Term expires October 31, 2010  
Term expires October 31, 2010  
Term expires October 31, 2010  
Term expires October 31, 2011  
Term expires October 31, 2011  
Term expires October 31, 2011

### **Staff Liaisons (2):**

Camille Silda, Planning Dept.

Cynthia Donahue, Facilities & Operations

## **HOSPITAL FINANCE AUTHORITY BOARD**

Sue Rocca

Peggy Kennard

Dana Camphous-Peterson

Ted Wahby

**Vacant** (was William Revior)

Term expires December 31, 2009  
Term expires December 31, 2010  
Term expires December 31, 2011  
Term expires December 31, 2012  
Term expires December 31, 2008

## **HURON CLINTON METROPOLITAN AUTHORITY**

Anthony Marrocco

Term expires April 30, 2011

## **JURY COMMISSION**

Jeanne Peddy

William Froberg

Shirley Miles

Term expires April 30, 2009  
Term expires May 31, 2013  
Term expires May 31, 2013

## **JUVENILE JUSTICE ADVISORY BOARD**

Tony Viviano

Catherine Steenland

Keith Rengert

Mayssa Attia

John Ange

Juvenile Court Judge  
District Court Judge  
County Commissioner  
Defense Attorney  
County Prosecutor or designee

Mark Hackel  
Edna Clark  
Nancy Supanich  
Tom Kalkofen  
Kathy Rager  
Robert Slaine  
Dr. Donald Amboyer  
Judge John Bruff  
Eric Jackson  
Parent Representative

County Sheriff or designee  
Juvenile Probation Officer  
Special Education Director  
Health Department Director  
Substance Abuse Disorders  
Mental Health Disorders  
Correction Education  
General Public  
Government Representative  
to be appointed by the JJC Director

#### **LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)**

Bruce Anderson  
Paul Brouwer

G. Michael Gerstenlauer  
Dan Hagen  
Ronald Kibzey  
Anthony Kowalski  
Dean Kueppers  
Michael Lopez  
Thomas Means  
John Misaros  
William Parus  
Gary Ross  
Cole Shoemaker  
Susan Toczylowski  
David A. Vinson  
Victoria Wolber

Scott Anderson  
Doyle Burke  
Michael Case  
Melissa Gladieux  
John Hejza  
Dan Kolke  
Keith Kuchenmeister  
Thomas Lindeman  
Ralph Maltese  
Nicole Miller  
Ken Murray  
Jacob Prialux  
Susan Sanderson  
Roger Stanek  
Denise Trabbic-Pointer  
Gary Voss

Calleen Austin  
Douglas Calvert  
James DiMaria  
Partow Guity  
Dr. Mitchell Kamlay  
Steve Kovalcik  
Thomas Kuehn  
Peter Locke  
Mark Manor  
Lou Mioduszewski  
MaryAnn Northcote  
Craig Robertson  
Daniel Sears  
Leigh Swanson  
Brian Tyrell  
Rick Williams

#### **SOCIAL SERVICES BOARD**

##### **(Formerly MACOMB COUNTY FAMILY INDEPENDENCE AGENCY BOARD)**

Roger Facione  
Margaret Hader  
Roxanna Transit

Term expires October 31, 2010  
Term expires October 31, 2011  
APPOINTED BY THE STATE

#### **MACOMB ORCHARD TRAIL COMMISSION**

Don Brown  
Joseph Youngblood, Shelby Twp.  
Sue Nyquist, Chief Planner HCMA  
Troy Jeschke, City of Richmond  
Gary Kirsch, Washington Twp.



**MACOMB/ST. CLAIR WORKFORCE DEVELOPMENT BOARD****PRIVATE SECTOR**

<b>APPOINTMENT BY:</b>	<b>NAME</b>	<b>TERM EXPIRES</b>
<b>MACOMB COUNTY</b>		
	<b>Vacancy</b>	2010 - AUGUST
	BLOWERS, FRANK	2010 - AUGUST
	GERVASON, CARL	2010 - AUGUST
	GENDERNALIK, PATTI	2010 - AUGUST
	KRAMER, MICHAEL	2009 - AUGUST
	<b>Vacancy</b>	2010 - AUGUST
	KEATING, PETER	2009 - AUGUST
	MATUJA, MARY	2009 - AUGUST
	ORTS, SCOTT	2009 - AUGUST
	<b>Vacancy</b>	2010 - AUGUST
	REGAN, RICK	2009 - AUGUST
	REIZ, PAUL	2010 - AUGUST
	SHAW, CHARLES	2010 - AUGUST
<b>CITY OF WARREN</b>	<b>Vacancy</b>	2010 - AUGUST
	DAOUD, JOHN	2009 - AUGUST
	LaROSA, DOMINIC	2009 - AUGUST
	MORELLI, WILLIAM	2009 - AUGUST
Moved Blowers to Macomb	<b>VACANCY</b>	2010 - AUGUST
	DOETSCH, ROBERT	2009 - AUGUST
<b>ST. CLAIR COUNTY</b>	ANGER, PATRICIA	2009 - AUGUST
	TREMBLE, KRISTINE	2010 - AUGUST
	<b>Vacancy</b>	2010 - AUGUST
	BRANDT, DAVID	2009 - AUGUST

**LABOR**

APPOINTMENT BY	NAME	TERM EXPIRES
ST CLAIR COUNTY	MORAN, MIKE	2010 - AUGUST
MACOMB COUNTY	AUSTIN, KEN	2010 - AUGUST
	FALCONE-SULLIVAN, NANCY	2010 - AUGUST
	POLULAK, GARY	2009 - AUGUST

**COMMUNITY-BASED ORGANIZATION**

APPOINTMENT BY	NAME	TERM EXPIRES
MACOMB COUNTY	VACANCY	2010 - AUGUST
ST. CLAIR COUNTY	PAPES, PHIL	2009 - AUGUST

**ECONOMIC DEVELOPMENT AGENCY**

APPOINTMENT BY	NAME	TERM EXPIRES
ST CLAIR COUNTY	STEPHAN, RENE	2010 - AUGUST
MACOMB COUNTY	ADAMS, LIL	2010 - AUGUST

**EDUCATION**

APPOINTMENT BY	NAME	TERM EXPIRES
MACOMB COUNTY	BOZYMOWSKI, JOHN	2009 - AUGUST
	KOVTUN, GEORGE	2009 - AUGUST

**DEPARTMENT OF SOCIAL SERVICES**

APPOINTMENT BY	NAME	TERM EXPIRES
MACOMB COUNTY	NICHOLAS, ANGELO	2009 - AUGUST

**REHABILITATION SERVICES**

APPOINTMENT BY	NAME	TERM EXPIRES
MACOMB COUNTY	TUNNELL, JENNIE	2009 - AUGUST

**OTHER ORGANIZATIONS**

APPOINTMENT BY	NAME	TERM EXPIRES
MACOMB COUNTY	PETERSON, WILLIAM	2010 - AUGUST
	SMITH, ERIN	2009 - AUGUST

## **PARKS AND RECREATION COMMISSION**

Anthony Lipinski	Term expires December 31, 2009
William Revoir	Term expires December 31, 2009
Ruthie Stevenson	Term expires December 31, 2009
Dino Bucci	Term expires December 31, 2010
Betty Slinde	Term expires December 31, 2010
<b>Vacant</b> , Homeowners Assoc. Officer ( <i>Tim Malone</i> )	Term expires December 31, 2011
<b>Vacant</b> , Commissioner ( <i>Phillip DiMaria</i> )	Term expires December 31, 2011
<b>Vacant</b> , ( <i>Marvin Sauger</i> )	Term expires December 31, 2011

### **>By Public Act #262<**

Road Commission Chair or Designee	Fran Gillett
Public Works Commissioner	Anthony Marrocco
<b>Vacant</b> , Parks Administrator	
<b>Vacant</b> , SEMCOG Rep. (must be elected by 2/3 Board vote)	

## **RETIREE HEALTH CARE BOARD**

Brian Brdak(Budget Chair)	Ken Lampar (Board Designee)
Irene Kepler (Finance Chair)	Andrey Duzyj (Board Designee)
David Diegel, Finance Director	Susan Doherty (Board Designee)
Ted Wahby, County Treasurer	

## **RETIREMENT COMMISSION** (\*\*no Board action)

Darra Slanec	Term expires December 31, 2009
Gary Cutler	Term expires December 31, 2010
Chris Carmody	Term expires December 31, 2011

### **Virtue of Their Public Office**

Representing the Chair of the Board of Commissioners	Ken Lampar
Brian Brdak	Chair, Budget Committee
Irene Kepler	Chair, Finance Committee
Representing Road Commission	Fran Gillett (as of 1-6-06)

### **Officers and Employees of the Retirement Commission**

Corporation Counsel	George Brumbaugh, Jr.
Macomb County Treasurer	Ted Wahby
Finance Director	David Diegel

## **ROAD COMMISSION**

Fran Gillett	Term expires December 31, 2010
<b>Vacant</b> (Thomas Raymus)	Term expires December 31, 2012
<b>Vacant</b> (Robert Sawicki)	Term expires December 31, 2011

**SEMCOG****Delegates****Vacant**

Robert Mijac  
Kathy Vosburg  
Joan Flynn

**Alternates****Vacant**

Don Brown  
Susan Doherty  
Andrey Duzyj

**SMART BOARD**

Curt Dumas, Representative  
Jerry Moffitt, Representative

**SOLID WASTE PLANNING COMMITTEE****14 Vacant Positions**

Charles Garber	John Gardner	Terry Gibb
Chuck Hersey	Ed Hoover	Tom Horton
Richard Lange	Jim McKiernan	Keith Rengert
Sandy Rosen	Ray Schwark	Fred Thompson
Ted Wahby	Jeffrey Yelencich	
Terms expired September 30, 2008		

**SUBSTANCE ABUSE ADVISORY COUNCIL**

Nancy Jenuwine	Term expires August 31, 2009
David Saad	Term expires August 31, 2009
Theresa Morin	Term expires August 31, 2009
Janet Teltow	Term expires August 31, 2009
Eric Jackson	Term expires August 31, 2010
Michael Gallagher	Term expires August 31, 2010
Patti Steele	Term expires August 31, 2011
Gary Burnett	Term expires August 31, 2011
Sgt. Patrick Richard	Term expires August 31, 2011
Joanne Smyth	Term expires August 31, 2011

**TRAFFIC SAFETY ASSOCIATION**

One seat on the Traffic Safety Association Board of Directors reserved for the Chair of the Macomb County Board of Commissioners and one seat for the Chair of the Justice and Public Safety Committee. Term of office is indefinite.

**VETERANS' AFFAIRS COMMISSION**

George Helm (Vietnam)	Term expires August 1, 2010
Patrick Daniels (Vietnam)	Term expires July 31, 2011
Michael Kinney (Korea)	Term expires July 31, 2011
Marco Cuenca (1 <sup>st</sup> Gulf War)	Term expires August 1, 2012
Natalie McPherson (Gulf War)	Term expires August 1, 2012

## **WATER QUALITY BOARD**

**Vacant**, (Philis DeSaele)

Term expires December 31, 2009

Sarah Roberts

Term expires December 31, 2009

Peggy Kennard

Term expires December 31, 2009

J. Russell LaBarge, Jr.

Term expires December 31, 2010

Douglas Martz

Term expires December 31, 2010

Charles Bellmore

Term expires December 31, 2010

**Vacant**, (Gerald DeMaire)

Term expires December 31, 2011

**Vacant**, (Thomas Morley)

Term expires December 31, 2011

**Vacant**, (Roy Schwark)

Term expires December 31, 2011

## **MACOMB COUNTY COMMISSION ON WOMEN**

All Terms: April 21, 2008 – Dec. 31, 2009 (chgd by Resolution Amendment Sept. 08)

Subsequent appointee terms shall run from January 1, 2010 – December 31, 2011

<b>District</b>	<b>Appointee</b>
1	<b>Vacant</b>
2	Melanie Brown
3	Mary Hanser
4	Suzanne Keffer
5	Edna Clark
6	Kendra Militello
7	Elisabeth Sierawski
8	Donna Cangemi
9	Grace Shore
10	Jan Gietzen
11	Lil Adams
12	<b>Vacant</b>
13	<b>Vacant</b>
14	Laurie Huff
15	Terry A. Hood-Campion
16	<b>Vacant</b>
17	<b>Vacant</b>
18	Michele Means
19	Karen Allmacher
20	Cynthia Kelly
21	Jessica Cheshire
22	Rosa E. Coletti
23	Paula Mack-Crouchman
24	Diane Russell
25	Kathleen Elliott
26	<b>Vacant</b>

Democrat Commissioner: **Vacant** Republican Commissioner: **Vacant**

## **ZOO AUTHORITY**

Matthew Ahearn

Term expires March 31, 2011

Elizabeth Green

Term expires March 31, 2011

Tom Kalkofen

Term expires March 31, 2011

Peggy Kennard

Term expires March 31, 2011

Loretta Lyk

Term expires March 31, 2011

\*\*Board Office staff use only - Updated: 01-13-09 pd



I hereby apply for appointment to \_\_\_\_\_ and do swear or affirm  
Board or Commission  
that (1) if appointed, I will comply with all statutory and other requirements and obligations of  
my appointment; (2) if I cease to comply with such requirements, I automatically forfeit said  
appointed position; (3) I hold no position or appointment which is a conflict of interest with the  
appointed position applied for; and (4) to the best of my knowledge and belief, I possess the  
requisite qualifications for the office I am seeking.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Print or Type)

Subscribed and sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public  
Macomb County, Michigan

My commission expires: \_\_\_\_\_

Nominated By: \_\_\_\_\_  
Name(s) of Commissioner

(Rev. 09/08 pd)

## INDEX

	Page
Area Agency on Aging_____	1
Board of Canvassers_____	2
Brownfield Redevelopment Authority_____	3
Building Authority Commission_____	4
Civil Service Commission_____	5
Community Action Advisory Board_____	6
Community Corrections Board_____	7
Community Mental Health Services Board_____	8
Criminal Justice Building Authority_____	9
Economic Development Corporation (EDC)_____	10
Emergency Medical Services Medical Control Authority/Board_____	11
Friend of the Court Citizen Advisory Committee_____	12
Health Department Hearing Board_____	13
Historical Commission_____	14
Hospital Finance Authority Board_____	15
Huron Clinton Metropolitan Authority_____	16
Jury Commission_____	17
Juvenile Justice Advisory Board_____	18
Local Emergency Planning Committee_____	19
Macomb Orchard Trail Commission_____	20
Macomb/St. Clair Workforce Development Commission_____	21
Parks And Recreation Commission_____	22
Partnership for Sustainability_____	23
Retiree Health Care Board_____	24
Retirement Commission_____	25
Road Commission_____	26
SEMCOG_____	27
SMART Board_____	28
Social Services Board (Family Independence Agency) _____	29
Solid Waste Planning Committee_____	30
Substance Abuse Advisory Council_____	31
United Way FEMA Board_____	32
Veterans Affairs Commission_____	33
Water Quality Board_____	34
Women's Commission_____	35
Zoological Authority_____	36



## **AREA AGENCY ON AGING**

**AGENCY:** AAA 1-B ~ Tina Abbate Marzolf, CEO

**DEPARTMENT:** Michigan Commission on Services to the Aging  
Senior Citizens Services - Director

**CONTACTS:** Deanna Mitchell, AAA 1-B ~ 248-357-2255  
Dana Lazecho, Senior Services Secy. ~ 469-5512

**ORIGIN:** Public Act 180 (1981)

### **LOGISTICS:**

- The Chair's office notifies the Director of the Managing Department of the expiration of any members and asks for a recommendation.
- The interested/identified individual submits a completed Boards & Commissions application to the Chair's office.
- The Chair's office prepares a memo for inclusion in the Commissioners' packets, nominating the appointee and asking for their concurrence at the next Full Board meeting. The memo should be given to Corinne at least 10 days prior to the meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

**Members:** 2 from Macomb County

**Tenure:** 2 year terms/staggered

**Membership** 1 County Commissioner Delegate & 1 Alternate

**Designation:** 1 Older Person Delegate

\*note Older Person Alternate position eliminated in by-laws.

### **FUNCTION:**

The Area Agency on Aging for Region 1-B is a statutory agency, composed of members from Livingston, Macomb, Monroe, Oakland, St. Clair and Washtenaw Counties. The function of the Agency is to serve as the advocate for aging and older persons and to develop and administer an area plan for a comprehensive and coordinated service delivery system in the planning and service area, providing opportunities for older persons and service providers to express their views to the area agency on policy development and program implementation under the plan.

(The AAA 1-B is an incorporated 501(c) (3) tax exempt, non-profit organization.)

**OLDER MICHIGANIANS ACT**  
**Act 180 of 1981**

AN ACT to create a commission on services to the aging within the executive office of the governor; to create an office of services to the aging as an autonomous entity within the department of management and budget; to authorize the designation of area agencies on services to the aging and to prescribe their powers and duties; to establish certain programs relating to older persons; to prescribe the powers and duties of certain state departments, officers, and agencies; to create funds; to provide penalties; to repeal certain acts and parts of acts; and to repeal certain parts of this act on specific dates.

**History:** 1981, Act 180, Imd. Eff. Dec. 15, 1981;—Am. 1986, Act 259, Imd. Eff. Dec. 9, 1986;—Am. 1987, Act 35, Imd. Eff. May 27, 1987;—Am. 1988, Act 235, Eff. Oct. 7, 1988.

**Popular name:** Act 180

*The People of the State of Michigan enact:*

**400.581 Short title.**

Sec. 1. This act shall be known and may be cited as the "older Michiganians act".

**History:** 1981, Act 180, Imd. Eff. Dec. 15, 1981.

**Compiler's note:** For transfer of powers and duties of the office of services to the aging from the department of management and budget to the department of community health, see E.R.O. No. 1997-5, compiled at MCL 400.224 of the Michigan Compiled Laws.

**Popular name:** Act 180

**400.582 Definitions.**

Sec. 2. As used in this act:

- (a) "Area agency on aging" means an agency designated by the commission under section 4(i).
- (b) "Chief elected official administrative officer" means any of the following:
  - (i) The president of a village.
  - (ii) The mayor of a city.
  - (iii) The supervisor of a township.
  - (iv) The elected county executive or appointed county manager of a county; or if the county has not adopted an optional unified form of county government, the chairperson of the county board of commissioners of the county.
- (c) "Commission" means the commission on services to the aging established under section 3.
- (d) "Director" means the director of the office of services to the aging.
- (e) "Long-term care facility" means 1 or more of the following:
  - (i) A home for the aged as defined in section 20106(3) of the public health code, Act No. 368 of the Public Acts of 1978, being section 333.20106 of the Michigan Compiled Laws.
  - (ii) An adult foster care facility as defined in section 3(4) of the adult foster care facility licensing act, Act No. 218 of the Public Acts of 1979, being section 400.703 of the Michigan Compiled Laws.
  - (iii) A nursing home as defined in section 20109(1) of Act No. 368 of the Public Acts of 1978, being section 333.20109 of the Michigan Compiled Laws.
  - (iv) A county medical care facility as defined in section 20104(4) of Act No. 368 of the Public Acts of 1978, being section 333.20104 of the Michigan Compiled Laws.
  - (v) A hospital long-term care unit as defined in section 20106(6) of Act No. 368 of the Public Acts of 1978.
- (f) "Office" means the office of services to the aging created by section 5.
- (g) "Older person" means a state resident who is 60 years of age or older, and the spouse of the older person, regardless of age.

**History:** 1981, Act 180, Imd. Eff. Dec. 15, 1981;—Am. 1987, Act 35, Imd. Eff. May 27, 1987.

**Popular name:** Act 180

**400.583 Commission on services to the aging; establishment; appointment, qualifications, and term of members; vacancies; members of commission created by former act; compensation and expenses; chairperson.**

Sec. 3. (1) A commission on services to the aging is established within the executive office of the governor. The commission shall consist of 15 members appointed by the governor by and with the advice and consent of the senate. Commission membership shall reflect the broad geographical balance as well as the distribution of older persons in the state. Members of the commission shall serve the broad interests of the

Rendered Tuesday, January 20, 2009

Page 1 Michigan Compiled Laws Complete Through PA 382, 384-427,  
429, 431-455, 447-459, and 472 of 2008

state's aging and older persons. A majority of the members shall be 60 years of age or older, and no more than 8 members shall be from the same political party. The term of each member shall be 3 years. Vacancies on the commission shall be filled by appointment by the governor in a similar manner as members are appointed under this subsection, for the remainder of the unexpired term.

(2) Members of the commission created by former Act No. 146 of the Public Acts of 1975 shall continue to serve until the expiration of their terms.

(3) A member of the commission shall be entitled to receive per diem compensation and reimbursement of actual and necessary expenses while acting as an official representative of the commission as defined by commission policies and rules. The per diem compensation of the commission and the schedule for reimbursement of expenses shall be established annually by the legislature.

(4) The governor shall designate a person from among the members to serve as chairperson of the commission. The chairperson shall serve in that position at the pleasure of the governor.

**History:** 1981, Act 180, Imd. Eff. Dec. 15, 1981.

**Compiler's note:** Act 146 of 1975, referred to in this section, was repealed by Act 180 of 1980.

For transfer of powers and duties of the office of services to the aging from the executive office of the governor to the department of community health, see E.R.O. No. 1997-5, compiled at MCL 400.224 of the Michigan Compiled Laws.

**Popular name:** Act 180

#### **400.584 Duties of commission.**

Sec. 4. (1) The commission shall do all of the following:

- (a) Serve as an effective and visible advocate for aging and older persons in all government decisions.
- (b) Advise the governor, the legislature, and the office of services to the aging concerning the coordination and administration of state programs serving older persons.
- (c) Make recommendations to the governor and the legislature regarding changes in federal and state programs, statutes, and policies.
- (d) Advise the governor and legislature of the nature and magnitude of the priorities of aging and older persons.
- (e) Participate in the preparation of and approve the state plan and budget required by the older Americans act of 1965, 42 U.S.C. 3001 to 3058d, before submission of the plan to the federal administration on aging.
- (f) Review and approve grants to be made from state, federal, or other funds which are administered by the office.
- (g) Review and advise the governor and the legislature on the state's policies concerning services to older persons.
- (h) Participate in the development of and approve the statements and reports required in section 6(n).
- (i) Designate planning and service areas and an agency which shall be recognized as an area agency on services to the aging within each planning and service area.
- (j) Establish a state advisory council under the direction of the commission. A member of the commission shall chair the state advisory council. The commission shall establish procedures for the selection of the council.
- (k) Convene public meetings or hearings to identify and discuss issues or concerns relating to aging and older persons.
- (l) Establish additional specialized advisory committees as needed which shall be under the direction of the commission.
- (m) Provide adequate and effective opportunities for aging and older persons to express their views on policy development and program implementation.
- (n) Establish policies pertaining to implementation of federal and state statutes involving funds administered by the office.
- (o) Establish a formula for funding the state and local or regional long-term care ombudsman programs. This formula shall be based on square miles, number of nursing homes, the number of nursing home beds, and the percentage of nursing home residents receiving medicaid within the geographic area to be served.

(2) The commission shall make and enter into contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act, subject to all of the following limitations:

(a) A commission member shall not participate in the selection, award, or administration of a contract if, to his or her knowledge, any of the following persons or organizations has a financial interest in that contract:

- (i) A commission member.
- (ii) A member of a commission member's immediate family.
- (iii) A commission member's partner.

(iv) An organization in which any of the persons listed in subparagraphs (i) to (iii) is an officer, director, or employee.

(v) A person or organization with whom any of the persons listed in subparagraphs (i) to (iii) is negotiating or has any arrangement concerning prospective employment.

(b) A commission member shall make known a potential conflict of interest under subdivision (a) before a vote regarding a contract.

(c) A commission member shall abstain from discussing a relevant motion, making a recommendation, or voting in regard to a contract, grant, or policy if his or her personal or business interest is involved as described in subdivision (a).

**History:** 1981, Act 180, Imd. Eff. Dec. 15, 1981;—Am. 1987, Act 35, Imd. Eff. May 27, 1987.

**Compiler's note:** For transfer of powers and duties of the office of services to the aging from the executive office of the governor to the department of community health, see E.R.O. No. 1997-5, compiled at MCL 400.224 of the Michigan Compiled Laws.

**Popular name:** Act 180

**400.585 Office of services to the aging; creation; exercise of powers and functions; appointment of director; exemption; compensation; director as special assistant to governor and liaison to commission.**

Sec. 5. The office of services to the aging is created within the department of management and budget. The office shall exercise its powers and functions, including the functions of budgeting and procurement and management-related functions, as an autonomous entity, independent of the director of the department of management and budget. The governor shall appoint a director of the office by and with the advice and consent of the senate. The director shall be exempt from the state classified civil service. The director shall receive compensation as provided by the legislature. The director shall serve as a special assistant to the governor on the problems of aging and older persons. The director or a designee of the director shall serve as office liaison to the commission.

**History:** 1981, Act 180, Imd. Eff. Dec. 15, 1981.

**Popular name:** Act 180

**400.586 Office of services to the aging; duties.**

Sec. 6. The office of services to the aging shall do all of the following:

(a) Serve as a visible and effective advocate for aging and older persons.

(b) Function as the single state agency within this state to supervise and administer the state plan required by the older Americans act of 1965, 42 U.S.C. 3001 to 3058d.

(c) Be primarily responsible for the coordination of all state activities related to the purposes of this act.

(d) Cooperate with agencies of the state and federal government and receive funds for any purpose authorized by the legislature.

(e) Make necessary contracts incidental to the performance of its duties and the execution of its policies.

(f) Provide technical assistance to state and local agencies for the purposes of planning, program development, administration, and evaluation; and encourage, promote, and aid in the establishment of services for aging and older persons.

(g) Collect, analyze, and disseminate data concerning services which affect aging and older persons.

(h) Establish an educational and public information program to foster public understanding of the problems and opportunities of aging and older persons; provide information on programs available to assist older persons; and encourage the development of private and public community programs to improve the status of older persons.

(i) Evaluate the effect of federal and state statutes on aging and older persons and recommend to the governor and the legislature appropriate changes.

(j) Evaluate, in cooperation with appropriate state departments and agencies, the effectiveness of public and private policies which affect older persons in the state and which are funded by federal, state, local, and private resources, including services which provide a comprehensive and integrated system of health and social services which respond to individual needs.

(k) Supervise, monitor, assess, evaluate, and provide technical assistance to area agencies on aging, and other agencies receiving funds from the office, in meeting specified objectives.

(l) Make recommendations to the governor and the legislature on budget and grant requests for programs for aging and older persons.

(m) Participate in the development of the annual report of services that is required to be submitted to the department of health and human services under section 2004 of Title XX of the social security act, 42 U.S.C. 1397c, and provide recommendations to the governor on the components of the plan which relate to services

to aging and older persons.

(n) Develop a comprehensive triennial state plan on aging with yearly updates regarding the priority needs of aging and older persons, as well as recommendations for future action. The office shall prepare an annual report to be submitted to the governor and the legislature by January 31 of each year. The annual report shall detail the progress of the office and the commission in implementing the triennial plan.

(o) Establish an appeals procedure, subject to approval by the commission, the applicability of which shall not be limited to denials of funding.

(p) Serve as a clearinghouse for the collection and distribution of information on aging and older persons.

(q) Establish demonstration programs for services to the aging and older persons in selected communities in the state. Particular emphasis shall be given to services designed to foster continued participation of older persons in family and community life and to prevent as nearly as possible unnecessary institutionalization of older persons. The programs shall be established to demonstrate and test their effectiveness, to stimulate continued support for them, and to create new services, using federal, state, local, or private funds and resources.

(r) Function as the state agency for voluntary services for, and provided by, older persons. The office shall do all of the following:

(i) Be designated as the state agency for coordination and development of foster grandparent and senior companion programs. The office is authorized: to receive and allocate funds from federal, state, and other sources for foster grandparent and senior companion programs; to negotiate waivers with the federal agency responsible for administering foster grandparent and senior companion programs and funds; and, in cases where federal foster grandparent and senior companion programs cannot be modified, to institute policies and rule variations with subprograms of foster grandparent and senior companion programs distinctly established through the use of state funds. Administrative agencies established before October 6, 1976, to develop and administer foster grandparent and senior companion programs are continued under this act pursuant to contracts initiated with the federal government. This subparagraph shall not be construed to prohibit the termination of a grantee for cause. Expansion of foster grandparent and senior companion programs shall be administered under existing programs where feasible. Other state and local governmental agencies serving children, youth, and mentally retarded persons in need of protective care and treatment in institutional and community settings shall cooperate with the office in the development and administration of voluntary services for, and provided by, aging and older persons. The office may negotiate with the federal administration to obtain the same nontaxable status for state funded foster grandparent and senior companion stipends as that given to participants in the federal program.

(ii) Be designated as the state agency for coordination and development of retired senior volunteer programs. The office is authorized: to receive and allocate funds from federal, state, and other sources for retired senior volunteer programs; to negotiate waiver of rules with the federal agency responsible for administering retired senior volunteer programs and funds; and, in cases where federal retired senior volunteer programs cannot be modified, to institute policies and rule variations with subprograms of retired senior volunteer programs distinctly established through the use of state funds. Administrative agencies established before October 1, 1978, to develop and administer retired senior volunteer programs are continued under this act pursuant to contracts initiated with the federal government. Nothing in this subparagraph shall be construed to prohibit the termination of a grantee for cause. Expansion of retired senior volunteer programs shall be administered under existing programs where feasible. Other state and local governmental agencies shall cooperate with the office in the development and administration of voluntary services for, and provided by, aging and older persons.

(s) Establish, evaluate, and improve opportunities for aging and older persons to provide volunteer services.

(t) Pursue and receive on behalf of the state any grant or gift and accept any grant or gift so that the title passes to the state. All grants and gifts shall be deposited with the state treasurer and used for the purposes set forth in the grant or the gift if the purposes are within the powers conferred on the office and the use is approved by the legislature. If the use is not approved, the grant or gift shall revert to the donor, or the donor's administrator or assigns.

(u) Train and assign staff who shall institute food delivery systems, inform older persons of the delivery systems, and train older persons to operate the food delivery systems. The office shall also do all of the following:

(i) Develop means to reduce the cost of food to older persons and increase the nutritional adequacy of food purchased and consumed.

(ii) Provide technical assistance to local clubs, groups, or organizations of older persons for the development of buying clubs, food cooperatives, or shopping assistance programs; provide education in

purchase and preparation of foods; and encourage retail grocers to package raw food in meal-size portions.

(iii) Provide ongoing assistance until the individual projects become self-sufficient.

(iv) Coordinate and develop efforts in conjunction with those of other state or local public or private agencies such as the cooperative extension services, public health agencies, senior nutrition projects, the department of social services, the retail grocers association, the department of agriculture, and others considered appropriate by the office.

(v) Provide in its annual report to the governor and the legislature under subdivision (n), a report on the effect of the programs.

(vi) Provide trained personnel, technical assistance, and coordination with other state agencies.

(v) Function as the administrator of employment programs and related services for, and provided by, older persons. The office shall encourage the employment of older persons in government agencies and private organizations.

(w) Subject to Act No. 370 of the Public Acts of 1941, as amended, being sections 38.401 to 38.428 of the Michigan Compiled Laws, and the rules of the state civil service commission, ensure that preference is given to older persons in employment by the office and all recipients of funds from the office.

(x) Encourage the development of preretirement and postretirement programs for older persons.

(y) Develop, in consultation with the various components of the aging network, basic core needs assessment and evaluation instruments. The office shall provide technical assistance to aid local organizations in augmenting these core instruments.

(z) Provide adequate and effective opportunities for older persons to express their views on policy development and program implementation.

(aa) Establish a long-term care ombudsman program consisting of a state long-term care ombudsman and a system of local or regional ombudsman offices having the duties and powers described in section 6g. The local or regional ombudsman programs shall be funded through area agencies on aging.

**History:** 1981, Act 180, Imd. Eff. Dec. 15, 1981;—Am. 1987, Act 35, Imd. Eff. May 27, 1987.

**Popular name:** Act 180

\*\*\*\*\* 400.586a THIS SECTION DOES NOT APPLY AFTER MARCH 29, 1988: See (3) of 400.586a \*\*\*\*\*

**400.586a Older persons' shared housing program; establishment; duties of office; applicability of section.**

Sec. 6a. (1) There is established an older persons' shared housing program to be administered by the office. The office may contract with private or public nonprofit agencies or local governmental agencies to establish shared housing for the older persons in local areas.

(2) In administering the older persons' shared housing program, the office shall do all of the following:

(a) Develop proposed model living arrangements in which 2 or more older persons share housing and the expenses of maintaining the housing.

(b) Develop 1 or more model shared housing agreements fixing the rights and responsibilities of older persons who share housing.

(c) Communicate with landlords and housing rental businesses to encourage shared rental housing for older persons.

(d) Locate older persons who could benefit from living in shared housing arrangements, and identify areas in the state that have the greatest need for shared housing for older persons.

(e) Match older persons with homeowners, renters, or landlords and with other older persons to create shared housing arrangements.

(f) Identify impediments to the development of shared housing for older persons, including impediments resulting from zoning laws and ordinances; building, housing, and fire safety laws and ordinances; and rules, policies, and practices of state and local agencies.

(3) This section shall not apply after 3 years from its effective date.

**History:** Add. 1984, Act 357, Eff. Mar. 29, 1985.

**Popular name:** Act 180

\*\*\*\*\* 400.586b THIS SECTION DOES NOT APPLY AFTER MARCH 29, 1987: See (2) of 400.586b \*\*\*\*\*

**400.586b Report; applicability of section.**

Sec. 6b. (1) Within 2 years after the effective date of this section, the office shall report to the house and senate committees having jurisdiction over legislation relating to older persons. The report shall include all of the following:

- (a) A summary of the proposed model living arrangements described in section 6a.
  - (b) The model shared housing agreements described in section 6a.
  - (c) An estimate of the number of older persons in the state, by county or other region, who would benefit from continuation of the older persons' shared housing program.
  - (d) A description of the shared housing arrangements and the number of older persons placed in those shared housing arrangements since the effective date of this section.
  - (e) A summary of the impediments to the development of shared housing for older persons identified pursuant to section 6a.
- (2) This section shall not apply after 2 years from its effective date.

**History:** Add. 1984, Act 357, Eff. Mar. 29, 1985.

**Popular name:** Act 180

#### **400.586c Volunteer service credit program.**

Sec. 6c. (1) The office may establish a program in 1 or more counties under which an older person, or a person of any age who is a member of an organization that is exempt from taxation under section 501(c)(3) of the internal revenue code, 26 U.S.C. 501, may volunteer his or her time and services to an in-home service or volunteer agency that serves older persons and is approved by the office, and receive credit for providing volunteer respite services and other volunteer services. A volunteer shall not be credited with more than 10 hours of volunteer services for any week.

(2) A person who has earned volunteer service credit or a person who has had volunteer service credit designated to him or her and who needs to receive volunteer services, or whose spouse needs volunteer services, shall notify the office. If the office determines that the person needs volunteer services and is 60 years of age or older, or the person's spouse needs volunteer services and otherwise qualifies under this act, the office shall assist in arranging for the person or the person's spouse to receive those services from an in-home service or volunteer agency in the person's locality that participates in the service credit program. The receipt of volunteer services by a person who has earned volunteer service credit or who has had volunteer service credit designated to him or her shall not be based on financial need, but shall be based on the person's living situation and medical condition.

(3) In order to ensure the integrity of the service credit program, the office shall, to the extent possible, recruit and train a sufficient number of volunteers to assure their availability, on an emergency basis, to meet the needs of persons who have earned volunteer service credits under subsection (1) and who need to receive volunteer services. However, volunteer service credits have no cash value, and the state has no obligation to pay or reimburse any person for the value of his or her volunteer service credits under any circumstances.

**History:** Add. 1986, Act 247, Eff. Dec. 9, 1986;—Am. 1988, Act 235, Eff. Oct. 7, 1988.

**Popular name:** Act 180

#### **400.586d-400.586f Repealed. 1988, Act 235, Eff. Apr. 1, 1990.**

**Compiler's note:** The repealed sections pertained to computer-based volunteer skills bank, program sites, and grants to establish demonstration service credit programs.

**Popular name:** Act 180

#### **400.586g State long-term care ombudsman; job qualifications; operation; duties; immunity from liability; rebuttable presumption.**

Sec. 6g. (1) Job qualifications for the state long-term care ombudsman established pursuant to section 6(2)(aa) shall include, but not be limited to, experience in all of the following:

- (i) The field of aging.
- (ii) Health care.
- (iii) Working with community programs.
- (iv) Long-term care issues, both regulatory and policy.

(2) The state long-term care ombudsman may operate either directly or by contract with any public agency or other appropriate private nonprofit organization other than an agency or organization which is responsible for licensing or certifying long-term care facilities or which is an association of long-term care facilities.

(3) The state long-term care ombudsman shall do all of the following:

(a) Establish and implement confidential complaint, investigatory, informational, educational, and referral procedures and programs.

(b) Establish a statewide uniform reporting system to collect and analyze complaints about the health, safety, welfare, and rights of residents of long-term care facilities for the purpose of publicizing improvements and significant problems.

(c) Assist in the development of and monitor the implementation of state and federal laws, rules, and regulations concerning the delivery of services to older persons.

(d) Annually report to the governor and legislature on the long-term care ombudsman program and make recommendations for improving the health, safety, welfare, and rights of residents of long-term care facilities.

(e) Recommend changes in state and federal law, rules, regulations, policies, guidelines, practices, and procedures to improve the health, safety, welfare, and rights of residents of long-term care facilities.

(f) Cooperate with persons and public or private agencies and undertake or participate in conferences, inquiries, meetings, or studies which may lead to improvements in the health, safety, welfare, and rights of residents and the functioning of long-term care facilities.

(g) Widely publicize the long-term care ombudsman program.

(h) Provide training for local and regional long-term care ombudsmen, which shall include, but not be limited to, familiarity with all of the following:

(i) Relevant state and federal regulatory and enforcement agencies.

(ii) The common characteristics, conditions, and treatments of long-term care residents.

(iii) Long-term care facility operations.

(iv) Long-term care facility licensing and certification requirements.

(v) Titles XVIII and XIX of the social security act, 42 U.S.C. 1395 to 1396s.

(vi) Interviewing, investigating, mediation, and negotiation skills.

(vii) Management of volunteer programs.

(i) Recommend that the attorney general institute actions for injunctive relief or civil damages relative to complaints.

(4) If acting in good faith and within the authority granted by this act, the state long-term care ombudsman is immune from any civil or criminal liability that otherwise might result by reason of taking, investigating, or pursuing a complaint under this section. For purposes of any civil or criminal proceeding, there is a rebuttable presumption that when acting under the authority of this act, the state long-term care ombudsman does so in good faith.

**History:** Add. 1987, Act 35, Imd. Eff. May 27, 1987.

**Popular name:** Act 180

#### **400.586h Local or regional long-term care ombudsman programs; requirements.**

Sec. 6h. The local or regional long-term care ombudsman programs established pursuant to section 6(2)(aa) shall do all of the following:

(a) Accept, investigate, verify, and work to resolve complaints, whether reported to or initiated by an ombudsman, relating to any action which may adversely affect the health, safety, welfare, and rights of a resident of a long-term care facility.

(b) Provide information about long-term care facilities, the rights of residents, sources of payment for care, and guidelines in selecting a long-term facility or other service to residents and the public.

(c) Make referrals to appropriate government and private agencies.

(d) Recruit, train, and supervise volunteers to assist ombudsmen in providing services.

(e) Educate residents and the public about abuse of long-term care residents and coordinate with licensing and enforcement agencies to assure appropriate investigation of abuse complaints and corrective actions.

(f) Assist in the development and work of resident councils when invited by residents or the long-term care facility. As used in this subdivision, "resident council" means a forum in which residents of long-term care facilities exercise their rights and communicate their views on the operations of a long-term care facility, the quality of care and life provided, and any other issue of interest to the council.

(g) Assist the state long-term care ombudsman in identifying needed regulatory changes in long-term care.

**History:** Add. 1987, Act 35, Imd. Eff. May 27, 1987.

**Popular name:** Act 180

#### **400.586i State, local, or regional long-term care ombudsman and trained volunteers; access to long-term care facility; purpose; time; "access" defined.**

Sec. 6i. The state long-term care ombudsman, the local or regional long-term care ombudsmen, and their trained volunteers shall be granted access to any long-term care facility for the purpose of carrying out section 6h of this act. For the state long-term care ombudsman and the local or regional long-term care ombudsmen, access shall be allowed each day from 8 a.m. to 8 p.m. For ombudsman trained volunteers, access shall be allowed to nursing homes during regular visiting hours each day as required by section 20201(3)(b) of the public health code, Act No. 368 of the Public Acts of 1978, being section 333.20201 of the Michigan Compiled Laws. For ombudsman trained volunteers, access shall be allowed to homes for the aged, hospital

Rendered Tuesday, January 20, 2009

Page 7 Michigan Compiled Laws Complete Through PA 382, 384-427,  
429, 431-455, 447-459, and 472 of 2008



long-term care units, and adult foster care homes each day from 11 a.m. to 7 p.m. As used in this section, "access" means the right to do all of the following:

- (a) Enter any facility and identify himself or herself.
- (b) Seek consent from a resident to communicate privately and without restriction with that resident.
- (c) Communicate privately and without restrictions with any resident who consents to communication.
- (d) Observe all resident areas of the facility except the living area of any resident who protests the observation.

**History:** Add. 1987, Act 35, Imd. Eff. May 27, 1987.

**Popular name:** Act 180

**400.586j Retaliation or discrimination as misdemeanor; unlawful conduct; fine.**

Sec. 6j. (1) A person who retaliates or discriminates against any of the following individuals due to that individual's registration of a complaint or assistance in the investigation of a complaint is guilty of a misdemeanor:

- (a) An officer, employee, resident, or visitor to a long-term care facility.
  - (b) A family member or guardian of a resident in a long-term care facility.
  - (c) An ombudsman described by this act.
  - (d) A volunteer at a long-term care facility.
- (2) A person who willfully does any of the following in connection with an ombudsman described by this act is subject to a fine of not more than \$1,500.00:
- (a) Hinders the work of an ombudsman or an ombudsman program.
  - (b) Refuses to comply with a lawful request of an ombudsman.
  - (c) Offers compensation or other promises to improperly influence the outcome of a matter being investigated by an ombudsman.

**History:** Add. 1987, Act 35, Imd. Eff. May 27, 1987.

**Popular name:** Act 180

**400.586k Older persons' abuse prevention fund; establishment; administration; contributions; creation of older persons' abuse prevention project; duties of office; pilot programs; report; definition.**

Sec. 6k. (1) There is established in the state treasury an older persons' abuse prevention fund, to be administered by the office. The fund shall consist of contributions of money from individuals, corporations, or other associations, and any money appropriated to the fund. No state general purpose or general fund money shall be appropriated to the fund.

(2) With the fund, the office shall create an older persons' abuse prevention project, for which the office shall do all of the following:

- (a) Administer the older persons' abuse prevention fund for the purpose of implementing the older persons' abuse prevention project.
- (b) Develop an older persons' abuse prevention program in cooperation with the department of social services, department of public health, department of mental health, department of state police, the office of substance abuse services, and representatives of local police agencies.
- (c) Disseminate information about the aging process.
- (d) Evaluate and approve proposals from community organizations for grants from the older persons' abuse prevention fund. Proposals may be submitted directly to the office or may be submitted to any area agency on aging, which shall forward the proposal to the office. A grant from the older persons' abuse prevention fund shall be for a purpose consistent with the older persons' abuse prevention program and shall be expended as determined by an interagency review panel, of which the director or the director's designee shall be the chairperson.

(3) If sufficient contributions have been made to the fund, the office shall develop and implement 2 pilot programs for purposes of this section. The pilot programs shall be established in cooperation with community organizations that provide services to older persons and that have adequate facilities, staff, and expertise to provide services for the prevention of the abuse of older persons. The pilot programs shall be implemented not later than 18 months after the effective date of this section. Not later than 2 years after the pilot programs are implemented, the office shall report to the legislature on the results of the pilot programs.

(4) As used in this section, "abuse of older persons" includes the following types of abuse involving an older person: physical abuse, emotional or social abuse, financial abuse, or environmental abuse.

**History:** Add. 1988, Act 235, Eff. Oct. 7, 1988.

Popular name: Act 180

**400.587 Office of services to the aging; interagency agreements.**

Sec. 7. The office shall develop interagency agreements with departments or agencies providing services to older persons. The agreements shall specify methods of interagency planning and coordination of services. The agreements shall be renewed annually.

History: 1981, Act 180, Imd. Eff. Dec. 15, 1981.

Popular name: Act 180

**400.587a State advisory council on mental health and aging; establishment; administration and operation; membership, duties, and operation.**

Sec. 7a. The state advisory council on mental health and aging is jointly established in, and shall be administered and operated jointly by, the office of services to the aging and the department of mental health. The membership, duties, and operation of the state advisory council on mental health and aging shall be as provided in section 941 of the mental health code, Act No. 258 of the Public Acts of 1974, being section 330.1941 of the Michigan Compiled Laws.

History: Add. 1988, Act 437, Imd. Eff. Dec. 27, 1988.

Popular name: Act 180

**400.588 Conduct of commission business at public meeting; notice.**

Sec. 8. (1) The business which the commission created pursuant to this act may perform shall be conducted at a public meeting of the commission held in compliance with Act No. 267 of the Public Acts of 1976, as amended, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976, as amended.

(2) A writing prepared, owned, used, in the possession of, or retained by the commission, the office, or by an area agency created pursuant to this act in the performance of an official function shall be made available to the public in compliance with Act No. 442 of the Public Acts of 1976, as amended, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

History: 1981, Act 180, Imd. Eff. Dec. 15, 1981.

Compiler's note: For transfer of powers and duties of the office of services to the aging from the executive office of the governor to the department of community health, see E.R.O. No. 1997-5, compiled at MCL 400.224 of the Michigan Compiled Laws.

Popular name: Act 180

**400.589 Agency designated as area agency on aging; powers and duties; source and use of funds; advisory council.**

Sec. 9. (1) An agency designated by the commission as an area agency on aging may be any of the following:

- (a) An established office on aging located within the region to be served by an area agency on aging.
- (b) An office or agency of a unit of local government that is designated for the purpose of serving as an area agency on aging by the chief elected official of that unit of government.
- (c) An office or agency designated by the appropriate chief elected officials of a combination of units of local government.
- (d) A public or nonprofit private agency, except a regional or local agency of the state, that is under the supervision or direction of the state agency.

(2) An area agency on aging designated by the commission is authorized to carry out the following duties and powers:

- (a) Serve as an advocate for aging and older persons by representing their interests to public officials and public and private organizations within the planning and service area.
- (b) Develop and administer an area plan for a comprehensive and coordinated service delivery system in the planning and service area, providing opportunities for older persons and service providers to express their views to the area agency on policy development and program implementation under the plan.
- (c) Assess the kinds and levels of service needed by older persons in the planning and service area, and the effectiveness of other public and private programs serving those needs.
- (d) Enter into subcontracts with local organizations for the direct provision of services to meet the priority needs of older persons identified in the plan.
- (e) Coordinate and assist regional or local public and nonprofit agencies in the planning and development of programs to establish an areawide network of comprehensive, coordinated service and opportunities for

older persons.

(f) Serve as an advocate for aging and older persons by assisting them in obtaining the benefits currently available under federal and state law and by representing their interests to public officials and public and private organizations within the planning and serving area.

(g) Receive information from the office and commission regarding legislation, regulation, and program and policy direction, and serve as the clearinghouse for dissemination of information from and to older persons and service providers within the planning and service area.

(h) Give priority in planning and administering services and programs to those older persons with the greatest economic and social need.

(i) Undertake other activities necessary to develop and administer the area plan in compliance with the policies, guidelines, or rules as set forth by federal or state statute and regulation, the commission, and the office.

(j) Provide adequate and effective opportunities for older persons to express their views on policy development and program implementation.

(3) An area agency on aging designated by the commission shall use funds distributed from the senior care respite fund created in section 9a to provide day care for older persons or other types of respite services for persons providing care to older persons. The area agency on aging may develop new programs or fund existing programs. Except where a waiver allowing direct service delivery is granted by the office, the area agency on aging shall award the distributed funds by grant or contract to community agencies and organizations for the provision of respite services. The area agency on aging may design respite programs to meet the needs of its constituents.

(4) Each area agency on aging shall have an advisory council, 1/2 of the membership of which shall be 60 years of age or older.

**History:** 1981, Act 180, Imd. Eff. Dec. 15, 1981;—Am. 1990, Act 171, Imd. Eff. July 2, 1990.

**Compiler's note:** For transfer of powers and duties of the office of services to the aging from the executive office of the governor to the department of community health, see E.R.O. No. 1997-5, compiled at MCL 400.224 of the Michigan Compiled Laws.

**Popular name:** Act 180

#### **400.589a Senior care respite fund; creation; administration; expenditures; money credited to fund; balances carried over.**

Sec. 9a. (1) The senior care respite fund is created in the department of treasury. The fund shall be administered by the office and shall be expended only as provided in section 9b.

(2) The state treasurer shall credit to the fund all of the following:

(a) Money that descends to the state as an escheat pursuant to section 403a of the nonprofit health care corporation reform act, Act No. 350 of the Public Acts of 1980, being section 550.1403a of the Michigan Compiled Laws.

(b) Money received as a gift or donation to the fund.

(c) Money from any other source as provided by law.

(3) Any balances in the fund at the end of any fiscal year shall be carried over as a part of the fund and shall not revert to the general fund of the state.

**History:** Add. 1990, Act 171, Imd. Eff. July 2, 1990.

**Popular name:** Act 180

#### **400.589b Senior care respite fund; distribution of money; administrative costs.**

Sec. 9b. (1) The office shall annually distribute the money in the senior care respite fund to the area agencies on aging. Each area agency on aging shall receive a minimum of \$25,000.00, or a proportionate part of that amount if sufficient money is not available, with all remaining money, if any, distributed according to a formula developed by the office pursuant to rules promulgated under the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, being sections 24.201 to 24.328 of the Michigan Compiled Laws, or according to the terms and conditions of the donor.

(2) Up to 1% of the fund may be used for administrative costs of the office for administering the senior care respite fund.

**History:** Add. 1990, Act 171, Imd. Eff. July 2, 1990.

**Popular name:** Act 180

#### **400.590 Proposed state program concerned with providing services to older persons; review and approval of office; obtaining budget request relating to programs for older persons.**

Sec. 10. A proposed state program concerned with providing services to older persons shall be submitted

Rendered Tuesday, January 20, 2009

Page 10 Michigan Compiled Laws Complete Through PA 382, 384-427,  
429, 431-455, 447-459, and 472 of 2008

to, and coordinated with, the office, and an allotment of funds for that purpose shall not be recommended to the state administrative board without the review and approval of the office. The office shall obtain from the department of management and budget a copy of any budget request relating to programs for older persons.

**History:** 1981, Act 180, Imd. Eff. Dec. 15, 1981.

**Popular name:** Act 180

#### **400.591 Rules.**

Sec. 11. The office, in consultation with, and with the approval of, the commission, shall promulgate rules pursuant to Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.315 of the Michigan Compiled Laws, for the implementation and administration of this act. A draft of the proposed rules to implement this act shall be submitted to public hearing no later than 30 days following the effective date of this act.

**History:** 1981, Act 180, Imd. Eff. Dec. 15, 1981.

**Compiler's note:** For transfer of powers and duties of the office of services to the aging from the executive office of the governor to the department of community health, see E.R.O. No. 1997-5, compiled at MCL 400.224 of the Michigan Compiled Laws.

**Popular name:** Act 180

**Administrative rules:** R 400.20101 et seq. of the Michigan Administrative Code.

#### **400.592 Review of functions, responsibilities, and performance of office and commission.**

Sec. 12. A thorough review of the functions, responsibilities, and performance of the office and commission shall be completed every 5 years after the effective date of this act.

**History:** 1981, Act 180, Imd. Eff. Dec. 15, 1981.

**Compiler's note:** For transfer of powers and duties of the office of services to the aging from the executive office of the governor to the department of community health, see E.R.O. No. 1997-5, compiled at MCL 400.224 of the Michigan Compiled Laws.

**Popular name:** Act 180

#### **400.593 Transfer of equipment, records, and supplies to commission and office.**

Sec. 13. The equipment, records, and supplies of the commission and office which are repealed pursuant to section 14 are transferred to the commission and office created by sections 3 and 5, respectively.

**History:** 1981, Act 180, Imd. Eff. Dec. 15, 1981.

**Popular name:** Act 180

#### **400.594 Repeal of MCL 400.541 to 400.553.**

Sec. 14. Act No. 146 of the Public Acts of 1975, as amended, being sections 400.541 to 400.553 of the Compiled Laws of 1970, is repealed.

**History:** 1981, Act 180, Imd. Eff. Dec. 15, 1981.

**Popular name:** Act 180

Adopted: June 26, 1987  
Amended: June 24, 1988

## AREA AGENCY ON AGING 1-B

### BOARD OF DIRECTORS

#### BYLAWS

##### ARTICLE I: Name

The name of this organization shall be the Area Agency on Aging 1-B, Inc., hereinafter referred to as the "AAA 1-B." The AAA 1-B governing body shall be the Area Agency on Aging 1-B Board of Directors, hereinafter referred to as the "Board."

##### ARTICLE II: Mandate and Authority

The AAA 1-B receives its mandate to determine policy in accordance with the federal Older Americans Act and the Older Michiganians Act, and operates within directives from the Office of Services to the Aging.

The Board's authority to determine policy, allocate resources, and fulfill all other functions and activities associated with an area agency on aging extends throughout the Region 1-B area of Livingston, Macomb, Monroe, Oakland, St. Clair, and Washtenaw Counties. The Region 1-B geographic area complies with the prescribed boundaries created by the Governor in dividing the State into Planning and Service Areas. Designation as the recognized area agency on aging for Region 1-B was established through approval of the Michigan Commission on Services to the Aging.

The AAA 1-B is an incorporated 501 (c) (3) tax exempt, not-for-profit organization.

##### ARTICLE III: Purpose

Section 1: The mission of the AAA 1-B is to secure and maintain maximum independence and dignity in a home environment for older individuals capable of self care with appropriate supportive services; remove individual and social barriers to economic and personal independence for older individuals; and provide a continuum of care for the vulnerable elderly.

Section 2: The specific purposes of the AAA 1-B are to:

- (a) assess the kinds and levels of service needed by older residents of Region 1-B, and the effectiveness of other public and private programs in meeting identified needs;

- (b) develop and administer an Area Plan for a comprehensive and coordinated service delivery system within Region 1-B, providing opportunities for older persons and service providers to express their views on policy development and program implementation under the plan;
- (c) enter into subcontracts with local organizations for the direct provision of services to meet the priority needs of older persons identified in the Area Plan;
- (d) coordinate and assist regional or local public and non-profit agencies in the planning and development of programs to establish an area-wide network of comprehensive, coordinated services and opportunities for older persons;
- (e) serve as an advocate for older persons by assisting them in obtaining the benefits currently available under federal and state law and by representing their interests to public officials, public agencies and private organizations;
- (f) receive information regarding legislation, regulations, and program and policy direction, serving as a clearinghouse for dissemination of information to and from older individuals and service providers within Region 1-B;
- (g) give priority in planning and administering services and programs to those older persons with greatest social and economic need; and
- (h) undertake other activities necessary to develop and administer the Area Plan, in compliance with all applicable laws and regulations.

#### ARTICLE IV: Board of Directors

Section 1: The AAA 1-B shall be governed by its Board of Directors, in accordance with applicable laws, regulations, and these Bylaws. In carrying out its responsibilities:

- (a) the Board shall elect Board officers;
- (b) the Board shall ensure establishment of an AAA 1-B Advisory Council, approving the bylaws and all amendments governing that body;
- (c) the Board shall establish policies and procedures for conduct of AAA 1-B functions;

- (d) the Board shall receive recommendations from its Advisory Council relative to the needs of older persons in Region 1-B, and on the development of the Area Plan/Annual Implementation Plan (AIP), and may recommend issue areas for Council study;
- (e) the Board shall assure development, approval, and oversight relative to administration of the Area Plan and AIP, conducting bi-annual reviews of progress in implementing management, program development, and service objectives;
- (f) the Board shall be responsible for the financing of AAA 1-B operations, soliciting private sector involvement and support for older initiatives;
- (g) the Board shall receive and monitor expenditure of all funds made available to the AAA 1-B;
- (h) the Board shall review and respond to all OSA assessment findings of the AAA 1-B, and assure the timely completion and review of annual audits of the AAA 1-B;
- (i) the Board shall determine the allocation of state and federal funds, entering into contracts with applicant organizations for provision of services to persons 60 years of age and older residing in Region 1-B;
- (j) the Board shall review the programmatic and fiscal performance of organizations under contract for delivery of services to older residents of Region 1-B;
- (k) the Board shall issue an annual report on operation of the AAA 1-B;
- (l) the Board shall employ an Executive Director for the AAA 1-B, either through a negotiated contract, or as a salaried at-will employee;
- (m) the Board shall operate under an approved Code of Ethics consistent with the Older Michiganians Act; and
- (n) the Board shall serve as an effective and visible advocate for older residents of Region 1-B, taking positions on issues affecting older persons.

AAA 1-B, or any other older person, who meet the state and federal requirements;

- (c) eight (8) representatives from the private sector. Nominees shall be solicited throughout the Region from county boards and appropriate organizations such as business, labor, health, and finance. A committee appointed by the Chairperson will select these representatives to the Board from the list of nominees.

Section 3: No employee of an AAA 1-B funded service provider organization shall serve as a member of the Board.

Section 4: At least one third of the Board members shall be older persons.

Section 5: Minority persons shall be represented on the Board, at a minimum, in proportion to their percentage to the total population of Region 1-B.

Section 6: Alternates

- (a) An alternate for the Board members shall be designated by the appointing agent when membership is solicited. The alternate shall have voting power in the absence of the regular member. No individual, other than the originally named alternate, may sit as a member of the Board, unless the appointing agent sends a written statement naming a new alternate for the regular member. An alternate shall not be an employee from a funded service provider agency.

- (b) It is the responsibility of the Board member to keep the alternate fully informed.



**Section 7: Membership Terms**

- (a) Appointments to the Board shall be effective January 1.
- (b) Members of the Board shall serve staggered terms:
  - County Commissioners and private sector members shall serve for two (2) years and be appointed in odd-numbered years; and
  - older persons shall serve for two (2) years and be appointed in even-numbered years.
- (c) Members who are older persons and members from the private sector are eligible for reappointment; County Commissioners are eligible for reappointment if returned to office as Commissioners.

**Section 8:** Positions on the Board which have been vacated for whatever reason shall be filled by the appointing agent as soon as possible.

**Section 9:** Members of the Board serve as volunteers and shall not receive a salary, per diem, or other financial payment except to be reimbursed for reasonable expenses incurred when on AAA 1-B business. When an appointing agent of a Board member provides mileage requirement, a per diem, or other form of payment for expenses when serving on the AAA 1-B Board, the Board member shall so inform the AAA 1-B to avoid dual payment for expenses incurred.

**Section 10: Board Meetings**

- (a) The Board shall schedule a minimum of eight (8) meetings during a calendar year to be held on the 4th Friday of the month. Should a 4th Friday fall on a holiday weekend, the meeting shall be called on the 3rd Friday of that month. Additional meetings may be at the call of the Chairman or at the request of a minimum of three (3) Board members.
- (b) The Board shall operate according to the State of Michigan Open Meetings Act.
- (c) Roberts Rules of Order, Current Revised Edition, shall guide the Board in conducting its business, except where superseded by the bylaws or by any special rules of order adopted by the Board.

(d) A quorum for the Board shall be fifty-one percent (51%) of the entire membership (eleven members). In the absence of a quorum, action on any motion can be taken if fifty-one percent (51%) of the quorum (6 members) are in agreement, providing at least four (4) counties are represented.

(e) The Board shall adhere to a voice vote practice unless a request is made for a hand vote or roll call vote.

**ARTICLE V: Officers**

**Section 1:** Elected officers shall consist of a Chairman, First Vice-Chairman, and Second Vice-Chairman.

**Section 2:** The Controller shall be the AAA 1-B chief fiscal officer, an employee of the agency, and therefore not an elected officer from the Board membership.

**Section 3:** The Secretary shall be the AAA 1-B communications specialist, an employee of the agency, and therefore not an elected officer from the Board membership.

**Section 4:** Elected officers shall serve two-year terms and may be re-elected.

**Section 5:** Election of officers shall be from a slate of candidates prepared by a nominating committee with voting occurring at the May meeting of every even-number year. Newly elected officers shall assume their duties immediately.

**Section 6: Officers Duties**

(a) The Chairman shall preside at all Board meetings; sign contracts and grants; serve as the presiding officer for appeal hearings before the Board; represent the AAA 1-B as the Board member to the Area Agencies on Aging Association of Michigan; provide testimony relative to aging issues before bodies conducting hearings and forums on topics of import to older persons; participate in national, state and local conferences pertaining to the field of aging; appoint Board members to ad hoc and standing committees with Board concurrence of these appointments; and, shall serve as an ex-officio voting member of all committees.

(b) The First Vice-Chairman shall perform such duties as are assigned by the Chairman, including the duties of the Chairman in his/her absence.

- (c) The Second Vice-Chairman shall perform such duties as are assigned by the Chairman, including the duties of the Chairman in the absence of the Chair and First Vice-Chairman.
- (d) The Secretary shall record and certify the minutes of all regular and special meetings of the Board, keep record of attendance of members; advise the Chairman of consecutive absences of members; and, assure the Chairman's signature on approved minutes.
- (e) The Controller shall:
  - (1) be the chief fiscal officer of the AAA 1-B and shall be bonded in accordance with a level approved by the Board;
  - (2) have custody of all moneys and assets of the AAA 1-B and be responsible for disbursement of all funds;
  - (3) maintain accounting records showing all financial transactions of the AAA 1-B in accordance with generally accepted accounting practices and procedures;
  - (4) prepare all necessary AAA 1-B financial reports for the Board, the Office of Services to the Aging, and other bodies requiring accounting of financial resources; and,
  - (5) serve as the staff member for meetings of the Finance and Administration Committee of the Board.

**ARTICLE VI: Resignation and/or Removal of Officers or Members**

- Section 1:** An officer or Board member may resign at any time by submitting his or her written resignation to the AAA 1-B office. Such resignation shall be effective upon receipt of the written notification, or at such date as specified.
- Section 2:** Any Board member, or his/her alternate, missing two consecutive meetings without explanation for the absences shall be dropped from membership and the appointing body so notified, with a request to appoint a new member.
- Section 3:** In the event an elected office shall become vacant prior to the expiration of the term, the Board shall elect a replacement at the earliest possible meeting.

**ARTICLE VII: Standing Committees****Section 1: Personnel Committee**

The Board Chairman in February of each year shall appoint three Board members to the Personnel Committee, requesting Board concurrence of the appointments. The Committee members shall determine who will serve as the chairman. The Personnel Committee shall meet as necessary, but at least annually, and be responsible for:

- (a) performance evaluation of the Executive Director and determination of his/her salary compensation;
- (b) development and maintenance of an AAA 1-B Salary Classification Structure;
- (c) review and maintenance of the AAA 1-B Employee Practices Manual; and,
- (d) review the Executive Director's action in determining employee annual salaries.

The Committee chairman shall report to the full Board.

**Section 2: Finance and Administration Committee**

The Board Chairman in February of each year shall appoint three Board members to the Finance and Administration Committee, requesting Board concurrence of the appointments. The Committee members shall determine who will serve as the chairman. The Committee shall meet as required, but at least quarterly, and be responsible for:

- (a) budget review and recommendation of acceptance;
- (b) review of quarterly fiscal reports pertaining to subcontractors;
- (c) assurance of completion of an annual audit;
- (d) review and approve an annual "AAA 1-B Local Match Formula for County Allocation Requests" for transmittal to each County Board of Commissioners in Region 1-B. In the event a county declines to provide their full share of the annual local match request, the Committee shall recommend for Board action, assessing an AAA 1-B administrative services fee among the funded subcontractor awards approved by the Board within the affected County; and,

- (e) review and assure maintenance of the AAA 1-B Finance and Administration Procedures Manual.

The Committee Chairman shall report to the full Board.

**Section 3: Applicant Review Committee**

The Board Chairman in May of each year shall appoint six Board members to the Applicant Review Committee. The First Vice-Chairman of the Board shall be the Committee chairman. The Board Chairman may also invite the AAA 1-B Advisory Council to appoint up to three members to sit on the Applicant Review Committee.

The Applicant Review Committee shall meet with AAA 1-B staff annually, as part of the applicant process, to review the social services and nutrition applications and arrive at recommendations for the Board relative to funding decisions for the next fiscal year.

**ARTICLE VIII: Administrative Services**

**Section 1:** The Personnel Committee shall annually evaluate the performance of the Executive Director and determine the level of salary compensation.

**Section 2:** The Executive Director is responsible to the Board for assuring that the federal, state, and regional policies, regulations, and procedures are carried out.

**Section 3:** The Executive Director is responsible for the hiring of the chief fiscal officer who shall serve as Controller for the AAA 1-B. The Finance and Administration Committee shall confirm the candidate selected for the position.

**Section 4:** The Executive Director is solely responsible for the hiring, discipline, or termination of all AAA 1-B staff, and the issuance of directives and instructions to staff. The employee grievance procedure is contained in the Employee Practices Manual. Neither the Board nor any of its individual members or committees shall interject their views or intercede on staff employment related matters.

**ARTICLE IX: Amendments**

The AAA 1-B Bylaws may be amended by a two-thirds (2/3) vote of those present at any meeting where a quorum is assembled. Proposed amendments must be sent in writing to each member at least fourteen (14) days prior to the meeting.

**ARTICLE X: Indemnification**

Each person who is or was a director or officer of the corporation or a member of any committee of the corporation and each person who serves or served at the request of the corporation as a director, officer, agent, or committee member of any other corporation, partnership, joint venture, trust, or other enterprise, shall be indemnified by the corporation, against any and all causes of action, claims, charges, suits, damages, debts, demands, obligations, or any and all other liabilities or threatened liabilities of whatever nature, including but not limited to settlements, to the fullest extent to which the corporation has the power to so indemnify such persons pursuant to Articles VI and VII of the Articles of Incorporation and pursuant to the corporation law of the State of Michigan as it may be in effect from time to time.

Any request for indemnification pursuant to this Article X shall be submitted to the Board of Directors, in writing, specifying the amount of the requested indemnification and all reasons and circumstances known to the requesting party which gave rise to the liability and/or expense for which indemnification is requested. The Board of Directors shall then have twenty (20) days in which to review said request for indemnification and if the Board of Directors, by majority vote of a quorum (as defined in the Bylaws of the Corporation) fails to take any action in connection with the request for indemnification, said requesting party shall be indemnified to the extent requested.

Indemnification may be requested at any time during any civil action suit or proceeding and such requesting party is not thereafter foreclosed from requesting further indemnification arising out of the same matter, civil action, suit or proceeding.

The Corporation may purchase and maintain insurance on behalf of any such person against any liability asserted against and incurred by such person in any such capacity or arising out of the person's status as such, whether or not the Corporation would have the power to indemnify the person against such liability under the laws of the State of Michigan.

## **BOARD OF CANVASSERS**

**DEPARTMENT:** County Clerk's Office

**CONTACTS:** Roger Cardamone, Chief Election Clerk ~ 469-5500

**ORIGIN:** Public Act 116 (1954), Section 168.24(a, b, c, d, e)

### **LOGISTICS:**

- The Chief Elections Clerk sends letters to the 2 political parties notifying them of the members with terms expiring within 60 days.
- The names of the political party's nominees are given to Corinne for inclusion in the Full Board meeting packet.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to County Clerk ~ Elections Dept.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

Members: 4 members  
Tenure: 4 year terms  
Membership 2 Democrats and 2 Republicans  
Designation:

### **FUNCTION:**

To enforce the laws and duties pursuant to P.A. 116 (a -- e); to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; and to guard against the abuse of the elective franchise.

MCL §168.24a states that this Board is mandatory.

MCL §168.24f states that the members of this board "shall receive actual and necessary expenses incurred in the performance of their official duties, and, ... shall be paid at a rate which is equal to the per diem rate paid to the County Board of Commissioners for meetings, or which is equal to ½% of the annual salary of the Commissioners, whichever is greater."

Payment to the members is mandatory. They currently receive a per diem of \$170.34.



**MICHIGAN ELECTION LAW (EXCERPT)**  
**Act 116 of 1954**

**168.24a Board of county canvassers; establishment; powers and duties; conduct of recounts; costs; abolition of boards of canvassers; appointment and terms of members; applicability of section.**

Sec. 24a. (1) A 4-member board of county canvassers is established in every county in this state. All of the powers granted to and duties required by law to be performed by all boards of canvassers established by law, other than the board of state canvassers, boards of city canvassers in cities having more than 5 precincts, boards of canvassers in counties having a population of 1,500,000 or more, and boards of township canvassers in townships having more than 5 precincts, are granted to and required to be performed by the board of county canvassers. The board of county canvassers shall conduct all recounts of elections in cities, townships, villages, school districts, or any other districts and be vested with all of the powers and required to perform all the duties in connection with any recount. If a city, village, school district, or any other district lies in more than 1 county, and a duty is to be performed by the board of county canvassers, the board of county canvassers in the county in which the greatest number of registered voters of the city, village, or district resides at the close of registration for the election involved shall perform the duty. The cost of canvass of school, city, township, and village elections shall be borne by the school district, city, township, or village holding the election, and upon presentation of a bill for the costs incurred by the board of county canvassers, the school district, city, township, or village shall reimburse the county treasurer.

(2) All boards of canvassers provided for in law including boards of school canvassers, the duties of which are by this act required to be performed by boards of county canvassers, are abolished.

(3) Members of the board shall be appointed for terms of 4 years beginning on November 1 following their appointment. Of the members first appointed, 1 member of each of the political parties represented on the canvassing board shall be appointed for a term of 4 years and 1 for a term of 2 years. Members of the board shall be notified of their appointment within 5 days thereafter by the county clerk.

(4) This section shall apply to all elections, any charter provision to the contrary notwithstanding.

**History:** Add. 1963, Act 237, Eff. Sept. 6, 1963;—Am. 1963, 2nd Ex. Sess., Act 65, Imd. Eff. Dec. 27, 1963;—Am. 1968, Act 65, Eff. July 1, 1968;—Am. 1970, Act 108, Eff. Apr. 1, 1971;—Am. 1982, Act 154, Imd. Eff. May 17, 1982.

**Compiler's note:** Section 3 of Act 65 of 1968 provides: "This act shall take effect on July 1, 1968, except in any county with a population of 400,000 or more it shall take effect on July 1, 1970."

**Popular name:** Election Code

## **BROWNFIELD REDEVELOPMENT AUTHORITY**

**DEPARTMENT:** Planning & Economic Development

**CONTACT:** Stephen Cassin, Director ~ 469-5285  
Cheryl Bushbaker ~ 469-6287

**ORIGIN:** "Brownfield Redevelopment Financing Act" – Public Act 381 (1996)

### **LOGISTICS:**

- The Chair's office notifies the Director of the Managing Department of the expiration of any members and asks for a recommendation.
- Appointees submit a completed Application for Appointment to Chair's Office
- The Chair's office prepares a memo for inclusion in the Commissioners' packets, nominating the appointee and asking for their concurrence at the next Full Board meeting. The memo and application should be given to Corinne at least 10 days prior to the meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

Members: 9 members  
Tenure: Members serve staggered 3 year terms  
Membership 1 County Commissioner, 8 community leaders, Chair of Planning &  
Designation: & Economic Dev. Committee serves ex-officio

### **FUNCTION:**

The purpose of the Brownfield Authority is to promote the revitalization of environmentally distressed areas, either by providing incentives for developers to clean up contaminated or functionally obsolete property, by receiving grants to perform the clean up before a development is involved, or a combination of the two. An authority may: (1) capture increases in property tax revenues generated by the redevelopment of eligible properties to reimburse parties for costs of eligible development activities; (2) use captured revenues to finance a local remediation revolving fund to address other eligible sites; and (3) provide eligibility for single business tax credit to taxpayer for their investments on the eligible site. Brownfield authorities can qualify for Brownfield site assessment grants, redevelopment grants and the state revitalization loan fund.

This is not mandated by statute and there are no requirements for payment to members. However, this Authority brings money into the county and receives grants through the Planning Department. In addition, if there are any expenses incurred by this Authority, they are typically reimbursed through a project.

No payments are being made to members at this time.

**BROWNFIELD REDEVELOPMENT FINANCING ACT (EXCERPT)**  
**Act 381 of 1996**

**125.2655 Designation of board by governing body; membership; trustees; applicability of subsection (2); election of chairperson, vice-chairperson, and other officers; oath; procedural rules; meetings; special meetings; removal of member; records open to public; quorum.**

Sec. 5. (1) Each authority shall be under the supervision and control of a board chosen by the governing body. Subject to subsection (2), the governing body may by majority vote designate 1 of the following to constitute the board:

(a) The board of directors of the economic development corporation of the municipality established under the economic development corporations act, 1974 PA 338, MCL 125.1601 to 125.1636.

(b) The trustees of the board of a downtown development authority established under 1975 PA 197, MCL 125.1651 to 125.1681.

(c) The trustees of the board of a tax increment financing authority established under the tax increment finance authority act, 1980 PA 450, MCL 125.1801 to 125.1830.

(d) The trustees of the board of a local development financing authority established under the local development financing act, 1986 PA 281, MCL 125.2151 to 125.2174.

(e) Not less than 5 nor more than 9 persons appointed by the chief executive officer of the municipality subject to the approval of the governing body. Of the initial members appointed, an equal number, as near as practicable, shall be appointed for 1 year, 2 years, and 3 years. A member shall hold office until the member's successor is appointed and qualified. Thereafter, each member shall serve for a term of 3 years. An appointment to fill a vacancy shall be made by the chief executive officer of the municipality for the unexpired term only. Members of the board shall serve without compensation, but shall be reimbursed for reasonable actual and necessary expenses.

(2) The governing body of a municipality in which a board described in subsection (1)(b), (c), or (d) has been established shall designate the trustees of 1 of those boards to constitute the board. This subsection shall only apply in the event a board described in subsection (1)(b), (c), or (d) is authorized under subsection (1) to serve as the board of the authority.

(3) The members shall elect 1 of their membership as chairperson and another as vice-chairperson. The members may designate and elect other officers of the board as they consider necessary.

(4) Before assuming the duties of office, a member shall qualify by taking and subscribing to the oath of office provided in section 1 of article XI of the state constitution of 1963.

(5) The board shall adopt rules governing its procedure and the holding of regular meetings, subject to the approval of the governing body. Special meetings may be held when called in the manner provided in the rules of the board. Meetings of the board shall be open to the public, in accordance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(6) After notice and an opportunity to be heard, a member of the board appointed under subsection (1)(e) may be removed before the expiration of his or her term for cause by the governing body. Removal of a member is subject to review by the circuit court.

(7) All financial records of an authority shall be open to the public under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(8) A majority of the members of the board appointed and serving shall constitute a quorum. Action may be taken by the board at a meeting upon a vote of the majority of the members present.

**History:** 1996, Act 381, Eff. Sept. 16, 1996;—Am. 2000, Act 145, Imd. Eff. June 6, 2000.

## **BUILDING AUTHORITY COMMISSION**

**DEPARTMENT:** Treasurer

**CONTACTS:** Ted Wahby, Treasurer ~ 469-5764  
Karen Marion ~ 469-5764

**ORIGIN:** Incorporated under the provisions of Public Act 31, Public Acts of Michigan, (Extra Session 1948)<sup>1</sup>; and for the purpose of condemnation, Public Act 149 (1911)<sup>2</sup>; and Act No. 94 of the Public Acts (1933) for the purpose of issuing revenue bonds.

### **LOGISTICS:**

- The Chair's office issues a 60-Day YELLOW ALERT to all Commissioners and the Director of the managing department.
- The managing department sends letters to members with terms expiring within 60 days.
- The Chair's office issues a 30-Day MEMO, with an attached blank Application for Appointment form to each Commissioner. Chair's office checks with managing department to ascertain if any reappointment applications are expected.
- Applications should be given to Corinne at least 10 days prior to the Full Board meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to the Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

Members: 7 members  
Tenure: 2 year terms, beginning January 1<sup>st</sup> and expiring December 31<sup>st</sup>  
Membership: None  
Designation:

### **FUNCTION:**

The Building Authority was incorporated as a non-profit Authority for the purpose of acquiring, furnishing, equipping, owning, improving, enlarging, operating and maintaining a building or buildings and automobile parking lots or structures and necessary site or sites therefore for the use of the County of Macomb.<sup>1</sup> In acquiring property, it may do so by purchase, construction, lease, gift, devise or condemnation.<sup>2</sup> In addition, it may issue self-liquidating revenue bonds provided that such bonds shall be payable solely from the revenues of such property.<sup>3</sup>

The Macomb County Building Authority was created pursuant to MCL§123.951.

The Articles of Incorporation provide that compensation may be authorized by the Board of Commissioners.

Members are being paid a per diem of \$35.00.

**BUILDING AUTHORITIES (EXCERPT)**  
**Act 31 of 1948 (1st Ex. Sess.)**

**123.951 Local building authorities; incorporation; purposes.**

Sec. 1. A county, city, village, or township may incorporate, as provided in this act, 1 or more authorities for the purpose of acquiring, furnishing, equipping, owning, improving, enlarging, operating and maintaining a building or buildings, automobile parking lots or structures, recreational facilities, stadiums, and the necessary site or sites therefore, together with appurtenant properties and facilities necessary or convenient for the effective use of the facilities, for use for any legitimate public purpose of the county, city, village, or township. For purposes of this act, the development of a qualified facility pursuant to the federal facility development act, Act No. 275 of the Public Acts of 1992, being sections 3.931 to 3.940 of the Michigan Compiled Laws, or the federal data facility act, is considered a legitimate public purpose of a county or city if that county or city makes a determination that such a facility would result in economic development in that county or city.

**History:** 1948, 1st Ex. Sess., Act 31, Imd. Eff. May 10, 1948;—CL 1948, 123.951;—Am. 1954, Act 113, Imd. Eff. Apr. 15, 1954;—Am. 1955, Act 25, Imd. Eff. Apr. 7, 1955;—Am. 1964, Act 41, Imd. Eff. May 6, 1964;—Am. 1968, Act 96, Imd. Eff. June 6, 1968;—Am. 1970, Act 47, Imd. Eff. July 2, 1970;—Am. 1992, Act 278, Imd. Eff. Dec. 18, 1992;—Am. 1993, Act 121, Imd. Eff. July 20, 1993.

## CIVIL SERVICE COMMISSION

**DEPARTMENT:** County Clerks Office

**CONTACTS:** Carmella Sabaugh, County Clerk ~ 469-7939  
Elaine Began – 469-8142

**ORIGIN:** "County Employees' Civil Service System" P.A. 370 (1941)

**LOGISTICS:**

- The Chair's office issues a 60-Day YELLOW ALERT to all Commissioners and the Director of the managing department.
- The managing department sends letters to members with terms expiring within 60 days.
- The Chair's office issues a 30-Day MEMO, with an attached blank Application for Appointment form to each Commissioner. Chair's office checks with managing department to ascertain if any reappointment applications are expected.
- Applications should be given to Corinne at least 10 days prior to the Full Board meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to the Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

**COMPOSITION:**

Members: 3 members  
Tenure: 6 years  
Membership 1 member is appointed by the Sheriff; 2 members are appointed by the  
Designation: Board of Commissioners

**FUNCTION:**

Provides a Civil Service system based upon examination and investigation as to merit, efficiency and fitness for appointment, employment and promotion of all officers and men appointed in the department; to regulate the transfer, reinstatement, suspension and discharge of said officers; and to provide for referendums.

Macomb County adopted a Sheriff's civil service system pursuant to MCL §51.351.

Payment to members is not mandatory. They are currently receiving a per diem of \$35.00. They are limited to 30 per diems a year.

**CIVIL SERVICE COMMISSION (EXCERPT)**  
**Act 298 of 1966**

**51.352 Civil service commission; membership, appointment, terms; president, term.**

Sec. 2. The civil service commission shall consist of 3 members, 2 of whom shall be appointed by the board of supervisors, 1 to be appointed for 2 years and 1 to be appointed for 6 years. The third member of the commission shall be elected by the members of the sheriff's department and he shall serve for a period of 4 years from the date of his appointment; a majority vote of the members of the sheriff's department shall be necessary to select such member. Thereafter, all appointments shall be made for a period of 6 years each; each commissioner shall serve until his successor is appointed and qualified by the appointing power hereinbefore designated.

The commission shall elect one of their number to act as president of the commission, who shall serve for 1 year.

**History:** 1966, Act 298, Imd. Eff. July 14, 1966.

## **COMMUNITY ACTION ADVISORY BOARD (MCCAAB)**

**DEPARTMENT:** Community Services Agency

**CONTACTS:** Frank Taylor, Director ~ 469-5905  
Holly Ehrke ~ 469-6999

**ORIGIN:** "Omnibus Reconciliation Act" Public Act 230 (1981, rev. 2003)

### **LOGISTICS:**

- The Chair's office notifies the Director of the Managing Department of the expiration of any members and asks for a recommendation.
- The elected official membership component of MCCAAB requires Chair appointment only and does not require a concurrence memo.
- Following identification and acceptance of appointees, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

Members: 21 members

Tenure:

Membership Commissioners: 7; Consumers: 7; Private Sector: 7

Designation: Consumer & Private Sector appts handled by MCAAB

\*Commissioners may designate a representative to serve in their place.

### **FUNCTION:**

The Advisory Board assists the Community Action Agency, which is dedicated to providing quality services with respect and confidentiality in a manner which supports families and individuals seeking to improve their quality of life, by making the community more responsive to the needs and interests of limited income individuals, elderly, and disabled, enabling them to achieve greater self-reliance and ultimately, economic self-sufficiency.

MCL §400.1108 states that the Executive Director of the State Commission on Community Action shall designate community action agencies. However, such designation is in conjunction with the approval of the County Board of Commissioners. Once there is a Community Action Agency, MCL §400.1111 requires a Community Action Advisory Board.

There is no statutorily mandated compensation for the Community Action Advisory Board members and no payments are being made at this time.



**MICHIGAN ECONOMIC AND SOCIAL OPPORTUNITY ACT OF 1981 (EXCERPT)**  
**Act 230 of 1981**

**400.1111 Community action agency; establishment of governing board of directors; membership; term limits.**

Sec. 11. (1) A community action agency shall establish a governing board of directors that consists of the following:

(a) One-third are elected public officials. An elected public official may act through his or her representative.

(b) One-third of the members are low income, elderly, or consumers with disabilities.

(c) One-third of the members represent the private sector, including representatives of business and industry, agriculture, labor, and religious and civic organizations.

(2) A community action agency may establish term limits for members of its board of directors in the community action agency's bylaws. An administrative rule that purports to establish term limits for a member of a community action agency board of directors is void.

**History:** 1981, Act 230, Imd. Eff. Jan. 12, 1982;—Am. 1998, Act 76, Imd. Eff. May 4, 1998;—Am. 2003, Act 123, Imd. Eff. July 29, 2003;—Am. 2006, Act 80, Imd. Eff. Mar. 24, 2006.

**MICHIGAN ECONOMIC AND SOCIAL OPPORTUNITY ACT OF 1981 (EXCERPT)**  
**Act 230 of 1981**

**400.1106 Commission on community action and economic opportunity; creation; appointment, qualifications, and terms of members; chairperson; executive secretary; vacancies; per diem compensation; reimbursement of expenses; quorum; commission action; meetings.**

Sec. 6. (1) A commission on community action and economic opportunity is created within the department. The commission shall provide an opportunity for low income persons to actively participate in the development of policies and programs to reduce poverty.

(2) The commission shall consist of 6 to 15 members appointed by the governor by and with the advice and consent of the senate. The commission shall be comprised of equal numbers of elected public officials, private sector members, and low income individuals or as nearly equal in number as possible. At least 1/3 of the commission members shall be community action agency representatives as either staff or board members. The governor shall designate the chairperson of the commission. The chairperson shall serve at the will of the governor. The executive director or designee of the commission shall serve as executive secretary to the commission.

(3) The term of office of each member shall be 3 years. Vacancies on the commission shall be filled in the same manner as the original appointment for the remainder of the unexpired term.

(4) A member of the commission may receive per diem compensation and reimbursement of actual and necessary expenses while acting as an official representative of the commission. The per diem compensation of the commission and the schedule for reimbursement of expenses shall be established annually by the legislature.

(5) A majority of the commission constitutes a quorum. Except as otherwise provided by rule, action may be taken by the commission by vote of a majority of the members present at a meeting. The commission shall meet not less than 4 times a year. A meeting of the commission may be held anywhere within this state.

**History:** 1981, Act 230, Imd. Eff. Jan. 12, 1982;—Am. 2003, Act 123, Imd. Eff. July 29, 2003.

## **COMMUNITY CORRECTIONS BOARD**

**DEPARTMENT:** Sheriff's Department

**CONTACTS:** Russell J. McPeak ~ 307-9465

**ORIGIN:** "Community Corrections Act" Public Act 511 (1988)

### **LOGISTICS:**

- The Chair's office notifies the Director of the Managing Department of the expiration of any members and asks for a recommendation.
- Appointees submit a completed Application for Appointment to Chair's Office
- The Chair's office prepares a memo for inclusion in the Commissioners' packets, nominating the appointee and asking for their concurrence at the next Full Board meeting. The memo and application should be given to Corinne at least 10 days prior to the meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

Members: 13 members  
Tenure: See *Membership Designation* for first terms. Terms become 3 years following the initial term.  
Membership Designation: 1 member -- County Sheriff (duration of term of office)  
1 member -- Chief of a city police department (3 years)  
1 member -- A judge of the circuit court or recorder's court (4 years)  
1 member -- A judge of the district court (3 years)  
1 member -- A county commissioner (2 years)  
1 member -- A member of city government (2 years)  
1 member -- Represent a community alternative program (2 years)  
1 member -- The director of the Department of Corrections (3 years)  
1 member -- A county prosecutor (duration of term of office)  
1 member -- A criminal defense attorney (2 years)

### **FUNCTION:**

Macomb County Community Corrections is a community based punishment and rehabilitative program aimed at relieving prison and jail overcrowding through Court-approved sentencing alternatives. Non-violent offenders are placed into community sanctions, rather than in jail or prison, to free-up corrections space for more serious offenders. Rehabilitative and monitoring options include substance abuse inpatient and outpatient treatment, daily reporting services, urine testing, community service work, job training assistance, cognitive restructuring and pre-trial release supervision.

If a county wishes to apply for funding and other assistance under the Department of Corrections – Community Corrections Act, then MCL §791.406 requires the creation of this Advisory Board.

There is no statutorily mandated compensation for these Board members and no payments are being made at this time.

**COMMUNITY CORRECTIONS ACT (EXCERPT)**  
**Act 511 of 1988**

**791.403 Office of community alternatives; creation; office as autonomous entity; composition; appointment and duties of executive director; state community corrections board; creation; function; appointment, qualifications, and terms of members; vacancy; expenses; chairperson.**

Sec. 3. (1) An office of community alternatives is created within the department. The office shall exercise its powers and duties including budgeting and management as an autonomous entity, independent of the director of the department. The office shall consist of the board and an executive director, and such staff as the executive director may appoint to carry out the duties of the office. The executive director shall be appointed by the board, and shall carry out the duties of the office subject to the policies established by the board.

(2) A state community corrections board is created in the office. The board shall act as the policy making body for the office, as provided in this act.

(3) Not later than 90 days after the effective date of this act, the governor shall appoint, and the senate shall confirm, the 13 members of the state board as follows:

- (a) One member shall be a county sheriff.
- (b) One member shall be a chief of a city police department.
- (c) One member shall be a judge of the circuit court or recorder's court.
- (d) One member shall be a judge of the district court.
- (e) One member shall be a county commissioner.
- (f) One member shall be a member of city government.
- (g) One member shall represent an existing community alternatives program.
- (h) One member shall be the director of the department of corrections or his or her designee.
- (i) One member shall be a county prosecutor.
- (j) One member shall be a criminal defense attorney.
- (k) Three members shall be representatives of the general public.

(4) The governor shall ensure fair geographic representation of the state board membership and that minority persons and women are fairly represented.

(5) Members of the state board shall serve for terms of 4 years each, except that of the members first appointed, 5 shall serve for terms of 4 years each, 4 shall serve for terms of 3 years each, and 4 shall serve for terms of 2 years each.

(6) A vacancy on the state board shall be filled in the same manner as the original appointment.

(7) Members of the state board shall serve without compensation, but shall be reimbursed by the department for actual and necessary expenses incurred in attending meetings.

(8) The governor shall annually appoint a chairperson from among the members of the board.

**History:** 1988, Act 511, Imd. Eff. Dec. 29, 1988.

**Popular name:** Act 511

## **COMMUNITY MENTAL HEALTH SERVICES BOARD**

**DEPARTMENT:** Community Mental Health Services

**CONTACTS:** Donald I. Habkirk, Jr., Exec. Director ~ 469-5779  
Barbara Latronica ~ 469-5263

**ORIGIN:** Established under Michigan's Mental Health Code, Act 258, Public Acts of Michigan (1974 as amended).

### **LOGISTICS:**

- The Chair's office notifies the Director of the Managing Department of the expiration of any members and asks for a recommendation.
- Appointees submit a completed Application for Appointment to Chair's Office
- The Chair's office prepares a memo for inclusion in the Commissioners' packets, nominating the appointee and asking for their concurrence at the next Full Board meeting. The memo and application should be given to Corinne at least 10 days prior to the meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department w/ copy of application
  - Gives a copy of letter(s) to the Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

Members: 12 members

Tenure: 3 years

Membership All members must be 18 years of age or older to serve.

Designation: At least 4 members must be primary consumers or family members; and at least 2 Board members must be primary consumers. Not more than 4 members may be County Commissioners and not more than 1/2 of the Board may be state, county or local public officials; must reside in Macomb County. A member cannot be employed by the Community Mental Health Program (CMHP), be a party to a contract, or administer or benefit financially from a contract with CMHP; or may a member serve in a policy making position with an agency under contract with CMHP.

### **FUNCTION:**

In broad terms, the Community Mental Health Services Board is charged with providing a comprehensive array of mental health services appropriate to needs of the primary consumers located within its service area, regardless of the ability to pay for the service. By statute, the members are representative of providers of mental health services, recipients or consumers of mental health services, agencies and occupations having a working involvement with mental health services and the general public.

The County Board of Commissioners elected to provide community mental health services and thus MCL §330.1212 requires that the Community Mental Health Services Board be established.

MCL §330.1224 requires that the Board members receive "a per diem no larger than the highest per diem for members of other county advisory boards set by the county board of commissioners and be reimbursed for necessary travel expenses for each meeting attended. The mileage expense fixed by the County Board of Commissioners shall not exceed the mileage reimbursement as determined by the state officers compensation commission. A board member shall not receive more than 1 per diem payment per day regardless of the number of meetings scheduled by the board for that day."

Payment to the members is mandatory. They currently receive a per diem of \$35.00.

**MENTAL HEALTH CODE (EXCERPT)**  
**Act 258 of 1974**

**330.1212 Board; establishment; appointment of members.**

Sec. 212. Upon electing to establish a community mental health services program, the county or combination of counties shall establish a 12-member community mental health services board, except as provided in section 214, 219, or 222(2) or (5). Each board of commissioners shall by a majority vote appoint the board members from its county. Recommended appointments to the board shall be made annually following the organizational meeting of the board of commissioners.

**History:** 1974, Act 258, Eff. Aug. 6, 1975;—Am. 1986, Act 265, Imd. Eff. Dec. 9, 1986;—Am. 1995, Act 290, Eff. Mar. 28, 1996.

**MENTAL HEALTH CODE (EXCERPT)**  
**Act 258 of 1974**

**330.1224 Board; terms of members; vacancy; removal from office; compensation; expenses.**

Sec. 224. The term of office of a board member shall be 3 years from April 1 of the year of appointment, except that of the members first appointed, 4 shall be appointed for a term of 1 year, 4 for 2 years, and 4 for 3 years. A vacancy shall be filled for an unexpired term in the same manner as an original appointment. A board member may be removed from office by the appointing board of commissioners or, if the board member was appointed by the chief executive officer of a county or a city under section 216, by the chief executive officer who appointed the member for neglect of official duty or misconduct in office after being given a written statement of reasons and an opportunity to be heard on the removal. A board member shall be paid a per diem no larger than the highest per diem for members of other county advisory boards set by the county board of commissioners and be reimbursed for necessary travel expenses for each meeting attended. The mileage expense fixed by the county board of commissioners shall not exceed the mileage reimbursement as determined by the state officers compensation commission. A board member shall not receive more than 1 per diem payment per day regardless of the number of meetings scheduled by the board for that day.

**History:** 1974, Act 258, Eff. Aug. 6, 1975;—Am. 1976, Act 348, Imd. Eff. Dec. 21, 1976;—Am. 1977, Act 88, Imd. Eff. Aug. 2, 1977;—Am. 1995, Act 290, Eff. Mar. 28, 1996.

## **CRIMINAL JUSTICE BUILDING AUTHORITY**

**DEPARTMENT:** Finance Department

**CONTACTS:** Dave Diegel, Director ~ 469-5310  
Terri Scott ~ 469-5310

**ORIGIN:** "Building Authorities Act" Public Act 31 (1948) as amended

### **LOGISTICS:**

- The Chair's office issues a 60-Day YELLOW ALERT to all Commissioners and the Director of the managing department.
- The managing department sends letters to members with terms expiring within 60 days.
- The Chair's office issues a 30-Day MEMO, with an attached blank Application for Appointment form to each Commissioner. Chair's office checks with managing department to ascertain if any reappointment applications are expected.
- Applications should be given to Corinne at least 10 days prior to the Full Board meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to the Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

Members: 3 members  
Tenure: 3 year terms  
Membership: Elected by vote of the county Board of Commissioners:  
Designation: 1 elected by the twp., city or village where the building is to be located.  
1 appointed by both the BOC and the legislative bodies of the township,  
city or village where the building is to be located.  
(Pursuant to section 123.955a of PA 31 (1948))

### **FUNCTION:**

The Criminal Justice Building Authority has been incorporated for the purpose of acquiring, furnishing, equipping, owning, improving, enlarging, operating and maintaining a building or buildings, automobile parking lots or structures, recreational facilities and stadiums, and the necessary site or sites therefore, with appurtenant property and facilities necessary or convenient for the effective use thereof, for use for any legitimate public purpose of the county, city, village or township.

Members do not receive pay, mileage or per diem.



EXHIBIT A

ARTICLES OF INCORPORATION  
OF THE  
MACOMB COUNTY CRIMINAL JUSTICE BUILDING AUTHORITY

These Articles of Incorporation of the Macomb County Criminal Justice Building Authority are adopted by the Board of Commissioners of the County of Macomb, Michigan, being the legislative body of the County, for the purpose of creating an authority under the provisions of Act No. 31, Public Acts of Michigan, 1948 (First Extra Session), as amended ("Act 31").

ARTICLE I

Name

The name of the authority is the MACOMB COUNTY CRIMINAL JUSTICE BUILDING AUTHORITY.

ARTICLE II

Incorporator

The incorporating unit creating the Macomb County Criminal Justice Building Authority (the "Authority") is Macomb County, Michigan (the "County").

ARTICLE III

Purpose

The Authority is incorporated for the purpose of acquiring, furnishing, equipping, owning, improving, enlarging, operating and maintaining a building or buildings, automobile parking lots or structures, and the necessary site or sites therefor, together with the appurtenant properties and facilities necessary or convenient for the effective use thereof, for use for any legitimate public purpose of the County, and for all other purposes now or hereafter permitted under Act 31 or any successor statute.

ARTICLE IV

Powers

Section 1. The Authority shall be a body corporate with power to sue and be sued in any court of the State of Michigan.

Section 2. The Authority shall have all powers necessary to carry out the purpose of its incorporation and those incident thereto, and all powers granted to building authorities by Act 31, as now in effect or hereafter amended, including but not limited to the following:

a. The Authority shall have the power to enter into a contract or contracts with the County under which the Authority will acquire property as contemplated by the terms of Act 31 and lease such

property to the County for a period not to exceed 50 years, or if the Authority issues refunding bonds pursuant to Act 31, the Authority may enter into a contract or contracts with the County under which the Authority will own or continue to own the property acquired, in part or in whole, from the sale of the bonds to be refunded and will lease the same to the County for a period not to exceed 50 years from the date of issuance of the refunding bonds.

b. For the purpose of accomplishing the objects of its incorporation, the Authority may acquire property by purchase, construction, lease, gift, devise or condemnation, and for the purpose of condemnation, it may proceed under the provisions of Act No. 149, Public Acts of Michigan, 1911, as now in effect or hereafter amended, or any other appropriate statute.

c. For the purpose of acquiring, improving and enlarging any such building or buildings, automobile parking lots or structures, recreational facilities and stadiums, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, and furnishing and equipping the same, and all other purposes permitted under Act 31, the Authority may issue bonds in accordance with and subject to the provisions of Act 31.

The enumeration of powers in Act 31 or in these Articles of Incorporation shall not be construed as a limitation upon the powers of the Authority.

Section 3. All property owned by the Authority shall be exempt from taxation by the State of Michigan or any taxing unit therein.

Section 4. The term of existence of the Authority shall be perpetual or until terminated by the Board of Commissioners of the County (the "Board").

## ARTICLE V

### Commission

Section 1. The Authority shall be directed and governed by a governing body consisting of three members known as the "Commission". Each member of the Commission shall be appointed by the Chairperson of the Macomb County Board of Commissioners and approved by a majority of the County Commissioners present and voting at a lawfully held meeting of the Board. No member of the Board of County Commissioners shall be eligible for membership or appointment to the Commission.

Section 2. The first members of the Commission appointed shall serve a term ending December 31, 1988. Each member of the Commission appointed thereafter shall serve a three-year term. Except for the first members appointed by the Board and any member appointed to fill a vacancy as provided in these Articles of Incorporation, the three-year term of each

member shall commence on January 1 and expire on December 31 of the second year following the year during which such term begins.

Section 3. The Macomb County Finance Director and the Macomb County Corporation Counsel shall serve as ex-officio Members of the Commission without a vote; the Finance Director shall keep all books and records of account for the Authority and the Corporation Counsel shall act as General Counsel to the Authority.

Section 4. Vacancies on the Commission occurring for any reason (including vacancies resulting from an increase in the number of members of the Commission by amendment of these Articles of Incorporation) shall be appointed by the Chairperson of the Macomb County Board of Commissioners and approved by a majority of the County Commissioners present and voting at a lawfully held meeting of the Board. Any member appointed to fill a vacancy on the Commission shall serve for the unexpired term of the members of the Commission remaining in office at the time such appointment is made.

Section 5. The Commission shall designate one of its members as Chairperson of the Authority and one of its members as Secretary of the Authority, each to be designated for such term in office as may be fixed by the Commission.

Section 6. The Chairperson shall preside at meetings of the Commission; shall sign and execute all authorized bonds, contracts, checks and other obligations in the name of the Authority when so authorized by the Commission; and do and perform such other duties as may be fixed by the bylaws and from time to time assigned to the Chairperson by the Commission. The Chairperson may cause his or her facsimile signature to be affixed to bonds and any interest coupons attached thereto, if so authorized by resolution of the Authority.

Section 7. The Secretary shall keep the minutes of all meetings of the Commission, and of all committees thereof, in books provided for that purpose; shall attend to the giving, serving and receiving of all notices on behalf of the Authority; may sign, with the Chairperson in the name of the Authority, all contracts and bonds, if so authorized by the Commission; and when so ordered, shall affix the seal of the Authority thereto if a seal has been adopted. The Secretary may cause his or her facsimile signature to be affixed to bonds and any interest coupons attached thereto, if so authorized by resolution of the Authority. The Secretary shall preside at meetings of the Commission in the absence of the Chairperson and in general perform all the duties incident to the office of Secretary.

Section 8. The Treasurer of the Authority shall be the duly elected, qualified and serving Macomb County Treasurer so long as the Treasurer shall so hold office. The Treasurer may be but need not be a member of the Commission. The Treasurer shall have custody of all the funds and securities of the Authority which may come into his or her hands. When necessary or proper, the Treasurer shall endorse for collection on behalf of the Authority, checks, notes and other obligations and deposit them to the credit of the Authority in banks or depositories designated by the Commission; shall sign all receipts and vouchers for payments made to the Authority; shall

jointly, with such other officer as may be designated by the Commission, sign all instruments of the Authority when so ordered by the Commission; shall render a statement of the Authority's cash accounts when required by the Commission; shall keep full and accurate accounts of all monies received and paid by the Treasurer on account of the Authority; and shall at all reasonable times exhibit his or her books and accounts to the Commission, or any member thereof, when so requested. The Treasurer shall perform all acts incidental to the position of Treasurer fixed by the bylaws and as assigned from time to time by the Commission. The Treasurer shall be bonded for the faithful discharge of his or her duties as Treasurer, the premium to be paid by the Authority.

Section 9. Officers of the Authority and Members of the Commission shall receive such compensation, if any, and such per diem and mileage payments, if any, as may be fixed by the Commission with the approval by the Board.

Section 10. The Commission or any of its members may be removed from office for cause by an affirmative majority vote of the Board.

Section 11. The books and records of the Authority, the Commission and officers and agents thereof shall be open to inspection and audit by the Board at all reasonable times. The Authority shall submit an annual report to the Board.

Section 12. The Commission shall adopt and may amend bylaws and rules of procedure in accordance with the provisions of Act 31.

Section 13. The Commission may adopt a seal.

## ARTICLE VI

### Notice of Incorporation

The County Clerk shall cause a copy of these Articles of Incorporation to be published in the Macomb Daily, Mt. Clemens, Michigan, being a newspaper of general circulation within the County, as provided by Act 31, accompanied by a statement that the right exists to question the incorporation of the Authority in court as provided in Act 31.

## ARTICLE VII

### Amendments

Amendments may be made to these Articles of Incorporation as provided in Act 31, but no such amendment shall impair the obligation of any bond or other contract.

## ARTICLE VIII

### Registered Agent

The location of the registered office is:

Office of Macomb County Clerk  
Macomb County Building  
Mt. Clemens, Michigan 48043

The registered mailing address is:

Office of Macomb County Clerk  
Macomb County Building  
Mt. Clemens, Michigan 48043

The official files and records of the Authority shall be kept at the registered office unless otherwise provided by unanimous resolution of the Commission.

#### ARTICLE IX

##### Bond Obligation

No provision contained in these Articles of Incorporation shall impair the obligation of any bond or contract which has been authorized or delivered prior to the effective date hereof.

#### ARTICLE X

##### Effective Date

These Articles of Incorporation shall become effective on, and be in full force and effect from and after, the date of their adoption by the Board.

IN WITNESS WHEREOF, the Board of Commissioners of Macomb County has adopted, and authorized its Chairman and the County Clerk to execute, these Articles of Incorporation on \_\_\_\_\_, 1987.

COUNTY OF MACOMB

By \_\_\_\_\_  
Chairman of Board of  
Commissioners

By \_\_\_\_\_  
County Clerk

The foregoing Articles of Incorporation were adopted by the Board of Commissioners of the County of Macomb, Michigan, at a meeting duly held on the \_\_\_\_ day of \_\_\_\_\_, 1987.

Dated: \_\_\_\_\_, 1987

\_\_\_\_\_  
Macomb County Clerk

**BUILDING AUTHORITIES (EXCERPT)**  
**Act 31 of 1948 (1st Ex. Sess.)**

**123.955a Joint building authority; commissioners; election and terms of members; chairperson; secretary; bylaws and rules of procedure; elected official as member; conducting business at public meeting; notice of meeting.**

Sec. 5a. (1) A joint building authority under section 2 incorporated by a county and a city, township, or village shall be directed and governed by a commission of 3 members, 1 to be elected by the county board of commissioners of the county, 1 to be elected by the legislative body of the city, township, or village, and 1 to be elected by the joint action of the county board of commissioners of the county and the legislative body of the city, township, or village. If the legislative bodies are unable to agree upon a choice for the third member within 60 days after the election of the first member, then the third member shall be appointed by the governor.

(2) A joint building authority under section 2 not described by subsection (1) shall be directed and governed by a commission consisting of 1 member elected by the legislative body of each incorporating unit and such other members as may be provided by the articles of incorporation.

(3) The commissioners of a joint building authority under section 2 shall serve for 4-year terms.

(4) The commission shall designate 1 member as chairperson and 1 as secretary, and shall adopt bylaws and rules of procedure. A member of the commission of a joint building authority shall not be an elected official of the county, city, township, or village.

(5) The business that the commission of any building authority performs shall be conducted at a public meeting of the board of commissioners held in compliance with the open meetings act, Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976.

**History:** 1948, 1st Ex. Sess., Act 31, Imd. Eff. May 10, 1948;—CL 1948, 123.955a;—Am. 1968, Act 96, Imd. Eff. June 6, 1968;—Am. 1973, Act 110, Imd. Eff. Aug. 19, 1973;—Am. 1977, Act 181, Imd. Eff. Nov. 17, 1977;—Am. 1995, Act 147, Imd. Eff. July 11, 1995.

## **ECONOMIC DEVELOPMENT CORPORATION (EDC)**

**DEPARTMENT:** Planning & Economic Development

**CONTACT:** Steve Cassin, Director ~ 469-5285  
Sharon Laskowski ~ 469-6297

**ORIGIN:** Created by the Board of Commissioners on March 22, 2001

### **LOGISTICS:**

- The Chair's office notifies the Director of the Managing Department of the expiration of any members and asks for a recommendation.
- Appointees submit a completed Application for Appointment to Chair's Office
- The Chair's office prepares a memo for inclusion in the Commissioners' packets, nominating the appointee and asking for their concurrence at the next Full Board meeting. The memo and application should be given to Corinne at least 10 days prior to the meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

Members: 9 members (all appointed by the BOC)  
Tenure: Variable  
Membership: No more than 3 of the 9 members of the EDC can be officers or  
Designation: employees of the County

### **FUNCTION:**

The purpose of the Economic Development Corporation is to assist and retain local industrial and commercial enterprises, including employee-owned corporations; to strengthen and revitalize the economy; to provide means and methods for the encouragement and assistance of industrial and commercial enterprises in locating, purchasing, constructing, reconstructing, modernizing, improving, maintaining, repairing, furnishing, equipping, and expanding in the county; and to encourage the location and expansion of industrial and commercial enterprises, including employee-owned corporations, to more conveniently provide needed services and facilities of the industrial and commercial enterprises to municipalities and the residents of the municipalities. The EDC has the authority to issue bonds and finance projects.

This is not mandated by statute, but is encouraged by MCL §125.1602.  
No payments are being made to members at this time.

**RESOLUTION APPROVING THE INCORPORATION  
OF THE ECONOMIC DEVELOPMENT CORPORATION  
OF THE COUNTY OF MACOMB, STATE OF MICHIGAN**

At a \_\_\_\_\_ meeting of the Board of Commissioners of the County of Macomb, Michigan, held in the Macomb County Administration Building, Mt. Clemens, Michigan on \_\_\_\_\_, 2001 at \_\_\_\_:\_\_\_\_.m., Eastern Standard Time, there were

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_:

WHEREAS, there exists in the County of Macomb, Michigan (the "County") the need for certain programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises to strengthen and revitalize the County's economy; and

WHEREAS, it is therefore necessary to provide the means and methods for the encouragement and assistance of industrial and commercial enterprises in locating and expanding in the County to more conveniently provide needed services and facilities of such enterprises to the County and its residents; and

WHEREAS, Act 338 of the Public Acts of Michigan of 1974, as amended, ("Act 338") provides for the incorporation of an economic development corporation for the County to accomplish such purposes; and

WHEREAS, a public hearing on said application and any competing application has been held.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF MACOMB, MICHIGAN, as follows:

1. The application under date of February 13, 2001, filed by Lillian Adams, Frank D. Blowers, and Kent W. Kukuk to incorporate the Economic Development Corporation of the County of Macomb, Michigan, and the proposed Amended and Restated Articles of Incorporation for said corporation be and the same are hereby approved and adopted
2. This resolution shall take immediate effect.
3. The County Clerk be and hereby is directed to forthwith file a certified copy of this resolution in her office.



**AMENDED AND RESTATED  
ARTICLES OF INCORPORATION**

These Amended and Restated Articles of Incorporation are signed and acknowledged by the incorporators for the purpose of forming an Economic Development Corporation of the County of Macomb, Michigan (the "County"), under the provisions of Act No. 338 of the Public Acts of 1974, as amended. These take the place of the Articles of Incorporation filed in \_\_\_\_\_.

**ARTICLE I**

**Name.** The name of the corporation is the ECONOMIC DEVELOPMENT CORPORATION OF THE COUNTY OF MACOMB.

**ARTICLE II**

**Purpose.** The corporation is organized with reference to Act 338 of the Public Acts of 1974, as amended ("Act 338") and shall be a body corporate with powers to sue and be sued in any court of the State of Michigan. Its purpose will be to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to strengthen and revitalize the economy of the County of Macomb, to provide means and methods for the encouragement and assistance of industrial and commercial enterprises in locating, purchasing, constructing, reconstructing, modernizing, improving, maintaining, repairing, furnishing, equipping and expanding in the County, to encourage the location and expansion of commercial enterprise to provide needed services and facilities to the County and the residents thereof, and to accomplish the foregoing, to do the following:

a) To construct, acquire by gift or purchase, reconstruct, improve, maintain, repair, acquire the necessary lands, interest, or portions thereof for the site of a "Project" which term shall hereinafter mean the following: land or an interest in land and existing or planned improvements, machinery, furnishings, or equipment suitable for use by any industrial or commercial enterprise, including agricultural and forestry enterprises and enterprises designed to produce energy from renewable resources, an enterprise in relation to a housing and neighborhood improvement program as defined by Act 338, and a replacement housing project incidental to an industrial or commercial enterprise, including all necessary buildings or structures suitable for and intended for or incidental to use as an industrial or commercial enterprise, including an industrial park and industrial site or port improvements, and all necessary machinery, furnishings, leasehold improvements and equipment necessary, suitable, intended for or incidental to a commercial, industrial, residential use in connection with the buildings or structures.

### ARTICLE III

Location of the first registered office is:

Finance Director  
County of Macomb  
10 N. Main  
Mt. Clemens, MI 48043

The post office address of the first register office is:

Same as above.

### ARTICLE IV

The name of the first resident agent is David M. Diegel.

### ARTICLE V

Said Corporation is organized upon a non-stock basis. The amount of assets which said corporation possesses is:

- |                       |      |
|-----------------------|------|
| 1) Real Property:     | None |
| 2) Personal Property: | None |

The Corporation will be financed from donations, gifts, grants and devises, either solicited or unsolicited, obtained from public authorities, individuals, corporations and other organizations, by earnings from it activities, borrowings and issuance of revenue bonds, and/or revenue notes.

### ARTICLE VI

The names and places of business of each of the incorporators are as follows:

Lillian Adams	Sterling Heights Area Chamber of Commerce 12900 Hall Road, Ste. 110 Sterling Heights, MI 48313
Frank D. Blowers	Lakeside Community Bank 43850 Schoehnerr Road Sterling Heights, MI 48313
Kent W. Kukuk	City of Mt. Clemens Downtown Dev. Auth. 49 Macomb Place, Ste. 30 Mt. Clemens, MI 48043

### ARTICLE VII

A. The Board of Directors shall be appointed by the Chairman of the County Board of Commissioners, with the advice and consent of the Board of Commissioners. The Board of Directors of the Corporation consists of nine persons, not more than three of whom shall be an officer or employee of the County. The term of office for directors shall be in accordance with Section 4(2) of Act 338, provided, the Secretary of the Board of Directors of the Corporation shall notify in writing the Chairman of the County Board of Commissioners of the Corporation's intention to commence preparation of a project plan

other obligations of the Corporation when so ordered by the Board of Directors. He shall render a statement of his cash account when required by the Board of Directors. He shall enter regularly in the books of the Corporation to be kept by him for that purpose full and accurate accounts of all moneys received and paid by him on account of the Corporation, and shall, at all reasonable times, exhibit his books and accounts to the Board of Directors or any member thereof when so required. He shall perform all acts incidental to the position of Treasurer fixed by the by-laws and as assigned to him from time to time by the Board of Directors. He shall be bonded for the faithful discharge of his duties as Treasurer, the bonds to be of such character, form, and in such amount as the Board of Directors may require.

(5) An officer may be removed by an affirmative vote of a majority of the Directors, with or without cause, whenever in the judgment of the Board of Directors the best of interests of the Corporation would be served.

(6) A vacancy in any office because of death, resignation, removal or otherwise, may be filled by the Board of Directors at any meeting for the unexpired portion of the term of the office.

#### ARTICLE VIII

The term of the Corporate existence is perpetual.

#### ARTICLE IX

The regulation of the internal affairs of the Corporation, including the distribution of assets on dissolution or final liquidation is placed entirely with the Board of Directors or their successors, as provided in the by-laws of this Corporation, subject, however, to the provisions of Act 338.

#### ARTICLE X

No part of the net earnings of the Corporation shall inure to the benefit of any member, trustee, officer or director of the Corporation, or any private individual (except that in case of private individuals, reasonable compensation may be paid for services rendered to or for the Corporation affecting one or more of its purposes), and no member, trustee, officer or director or the Corporation or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the Corporation. Directors of the Corporation shall serve without salary, but may be reimbursed their actual expenses incurred in the performance of their official duties and may receive a per diem in an amount not to exceed \$35.00 as determined by the Board of Commissioners. No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting, to influence legislation, and the Corporation shall not participate in or intervene in

right exists to question the incorporation in court as provided in Section 31 of Act 338.

**ARTICLE XVII**

The Articles of Incorporation and Bylaws of the Corporation may be amended by resolution of the Board of Commissioners which resolution shall be filed with the Secretary of State. The effect of an amendment may include the alteration or changing of the structure, organization, programs, or activities of the Corporation including the power to terminate the existence of the Corporation. However, an amendment shall not impair the obligation of any bond or contract.

We the incorporators, sign our names this \_\_\_\_ day of \_\_\_\_\_, 2001.

STATE OF MICHIGAN )  
 ) SS  
COUNTY OF MACOMB )

On this \_\_\_\_ day of \_\_\_\_\_, 2001, before me personally appeared \_\_\_\_\_ to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

\_\_\_\_\_  
Notary Public

**ECONOMIC DEVELOPMENT CORPORATION**  
**OF THE COUNTY OF MACOMB**  
**NAMES AND ADDRESSES OF INCORPORATORS**

Lillian Adams

Sterling Heights Area Chamber of Commerce  
12900 Hall Road, Ste 110  
Sterling Heights, MI 48313

Frank D. Blowers

Lakeside Community Bank  
43850 Schoenherr Road  
Sterling Heights, MI 48313

Kent W. Kukuk

City of Mt. Clemens Downtown Dev. Auth.  
49 Macomb Place, Ste 30  
Mt. Clemens, MI 48043

**ECONOMIC DEVELOPMENT CORPORATIONS ACT (EXCERPT)**  
**Act 338 of 1974**

**125.1602 Legislative finding.**

Sec. 2. There exists in this state the continuing need for programs to alleviate and prevent conditions of unemployment, and the legislature finds that it is accordingly necessary to assist and retain local industrial and commercial enterprises, including employee-owned corporations, to strengthen and revitalize the economy of this state and its municipalities; that accordingly it is necessary to provide means and methods for the encouragement and assistance of industrial and commercial enterprises, including employee-owned corporations, in locating, purchasing, constructing, reconstructing, modernizing, improving, maintaining, repairing, furnishing, equipping, and expanding in this state and in its municipalities; and that it is also necessary to encourage the location and expansion of industrial and commercial enterprises, including employee-owned corporations, to more conveniently provide needed services and facilities of the industrial and commercial enterprises to municipalities and the residents of the municipalities. It is also necessary to promote economic activity in the forestry and agricultural sectors by providing incentives to combat inflation, to reduce energy consumption, to retain the family farm unit, to reduce the rate at which urban sprawl has been devouring our productive farm lands, and to provide our farmers and foresters with a more favorable export market; all this to be accomplished by reducing costs of production. It is also necessary to encourage the development of facilities designed to produce energy from renewable resources. Therefore, the powers granted in this act constitute the performance of essential public purposes and functions for this state and its municipalities.

**History:** 1974, Act 338, Imd. Eff. Dec. 18, 1974;—Am. 1976, Act 175, Imd. Eff. June 29, 1976;—Am. 1980, Act 501, Imd. Eff. Jan. 22, 1981;—Am. 1985, Act 154, Imd. Eff. Nov. 12, 1985.

**Compiler's note:** Section 2 of Act 501 of 1980 provides: "This amendatory act shall not take effect in a city with a population of greater than 750,000 persons until a subsidiary corporation described under section 6a has been created by the corporation of that city. In addition, any project for which a corporation has designated the project area at the time this amendatory act takes effect shall be exempt from the requirement of payment of the prevailing wage and fringe benefit rates described in section 8(4)(h)."

Act 86 of 1984 amended enacting section 2 of Act No. 501 of 1980 to read as follows: "Section 2. Except for the issuance of bonds and entry into loan agreements by a corporation to refund bonds issued before January 21, 1981, under Act No. 62 of the Public Acts of 1963, being sections 125.1251 to 125.1267 of the Michigan Compiled Laws, this amendatory act shall not take effect in a city with a population of greater than 750,000 persons until a subsidiary corporation described under section 6a has been created by the corporation of that city. In addition, any project for which a corporation has designated the project area at the time this amendatory act takes effect shall be exempt from the requirement of payment of the prevailing wage and fringe benefit rates described in section 8(4)(h)."

## **EMERGENCY MEDICAL SERVICES** **MEDICAL CONTROL AUTHORITY/BOARD**

**DEPARTMENT:** Health Department

**CONTACTS:** Thomas Kalkofen, Director ~ 469-5512  
Steve Gold, Deputy Health Officer ~ 469-5510  
Maureen Cicola ~ 469-5303

**ORIGIN:** Required under Part 209 of the Public Health Code

**LOGISTICS:**

- The Chair's office issues a 60-Day YELLOW ALERT to all Commissioners and the Director of the managing department.
- The managing department sends letters to members with terms expiring within 60 days.
- The Chair's office issues a 30-Day MEMO, with an attached blank Application for Appointment form to each Commissioner. Chair's office checks with managing department to ascertain if any reappointment applications are expected.
- Applications should be given to Corinne at least 10 days prior to the Full Board meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to the Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

**COMPOSITION:**

**Members:** The Board appoints 1 Commissioner and 2 consumers from the public or private sectors

**Tenure:** 2 years or until a successor is appointed

**Membership**

**Designation:** In addition to appointments by the Board of Commissioners, members will include an emergency physician and administrative representative from each participating hospital; delegates from the Fire Chiefs Association, Police Chiefs Association, paramedics and EMT/Specialist, Macomb MEDCOM and the Health Department.

**FUNCTION:**

The Macomb County Medical Control/Authority Board is a volunteer board appointed by the Board of Commissioners that assures that all ambulatory services conform to E.M.S. rules and regulations.

MCL §330.20918 mandates that this authority/board exist.

There is no statutory requirement of compensation to the members and no payments are being made at this time.

## **FRIEND OF THE COURT CITIZEN ADVISORY COMMITTEE**

**DEPARTMENT:** Prosecutor's Office

**CONTACTS:** Jane E. Stevens, Esq. ~ Prosecutor's – Federal Office ~ 469-6630

**ORIGIN:** Friend of the Court Act – Act 294 (1982); MCL 552.504(2)

### **LOGISTICS:**

- The Chair's office issues a 60-Day YELLOW ALERT to all Commissioners and the Director of the managing department.
- The managing department sends letters to members with terms expiring within 60 days.
- The Chair's office issues a 30-Day MEMO, with an attached blank Application for Appointment form to each Commissioner. Chair's office checks with managing department to ascertain if any reappointment applications are expected.
- Applications should be given to Corinne at least 10 days prior to the Full Board meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to the Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

Members: 9 members

Tenure: Except for the initial appointees, members may serve one renewable term of 3 years. After having served 2 terms, a committee member cannot serve for 1 term (3 years) but may again serve following the 1 term hiatus.

Membership 1 advocate for children;

Designation: 1 non-custodial parent representative;  
1 custodial parent representative;  
An attorney who engages primarily in family law practice;  
The county sheriff or the sheriff's designee;  
The prosecuting attorney or the prosecuting attorney's designee;  
The director of the family independence agency (or director's designee);  
A mental health professional who provides family counseling;  
A member of the general public who *is not* an individual who could serve on the committee in a category listed in subdivisions 1 – 8.

### **FUNCTION:**

The Advisory Committee reviews and investigates grievances concerning the Friend of the Court as provided by statute and advises the Court and the County Board of Commissioners on the Friend of the Court's duties and performance and the community's needs relating to the office's services.

This committee is mandated by statute and compensation is not mandated by statute. MCL §552.504.

No payments are being made to members at this time.

**FRIEND OF THE COURT ACT (EXCERPT)**  
**Act 294 of 1982**

**552.504 Citizen friend of the court advisory committee; establishment; composition; appointment; vacancy; terms; election of chairperson and vice-chairperson; court administrative office guidelines; term limitation.**

Sec. 4. (1) Each county may establish a citizen friend of the court advisory committee composed of the following members, each of whom is a resident of the county:

- (a) A noncustodial parent.
- (b) A custodial parent.
- (c) An attorney who engages primarily in family law practice.
- (d) The county sheriff or the sheriff's designee.
- (e) The prosecuting attorney or the prosecuting attorney's designee.
- (f) The director of the family independence agency or the director's designee.
- (g) A mental health professional who provides family counseling.
- (h) Two members of the general public who are not serving on the committee in a category listed in subdivisions (a) to (g).

(2) Except for a member serving under subsection (1)(d), (e), or (f), and except as otherwise provided in this subsection, the county board shall appoint the citizen advisory committee members. In a county organized under 1966 PA 293, MCL 45.501 to 45.521, the county executive shall appoint the citizen advisory committee members with the advice and consent of the county board, and shall exercise the other powers and duties prescribed for the county board by this section in regard to the citizen advisory committee.

(3) A vacancy on the citizen advisory committee shall be filled for the remainder of the term in the same manner as the position was originally filled. The county board shall attempt to compose the citizen advisory committee so that its membership reflects the ethnic, racial, and gender distribution of the community that it serves.

(4) Committee members shall serve renewable terms of 3 years for each time appointed. Members appointed under subsection (1)(a), (b), (c), (g), and (h) shall serve initial terms of 3 years for 2 members, 2 years for 2 members, and 1 year for 2 members to allow 1/3 of those members to be appointed to the committee each year.

(5) A citizen advisory committee shall elect 1 of its members as chairperson and 1 as vice-chairperson.

(6) A citizen advisory committee shall honor any guidelines established by the state court administrative office for a friend of the court office pertaining to citizen advisory committees.

(7) Except for a member serving under subsection (1)(d), (e), or (f), a citizen advisory committee member shall not serve more than 2 consecutive terms. After completion of 2 consecutive terms, a former member shall not be reappointed to serve during the 2 years immediately following the end of his or her previous term.

**History:** Add. 1996, Act 366, Eff. Jan. 1, 1997;—Am. 2004, Act 210, Eff. Oct. 1, 2004.

**Popular name:** Friend of the Court



## **HEALTH DEPARTMENT HEARING BOARD**

**DEPARTMENT:** Health Department

**CONTACTS:** Thomas Kalkofen, Director ~ 469-5512  
Maureen Cicola ~ 469-5303

**ORIGIN:** Michigan Public Health Code, P.A. 368 (1978) and Administrative Procedures Act, P.A. 306 (1969)

### **LOGISTICS:**

- The Chair's office issues a 60-Day YELLOW ALERT to all Commissioners and the Director of the managing department.
- The managing department sends letters to members with terms expiring within 60 days.
- The Chair's office issues a 30-Day MEMO, with an attached blank Application for Appointment form to each Commissioner. Chair's office checks with managing department to ascertain if any reappointment applications are expected.
- Applications should be given to Corinne at least 10 days prior to the Full Board meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to the Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

Members: 3 members  
Tenure: 2 years, concurrent with the elected term of Commissioners  
Membership 1 County Officer, 1 Commissioner, 1 citizen-at-large.  
Designation:

### **FUNCTION:**

The Board hears appeals or contested cases from aggrieved individuals in matters concerning food service establishments, sub-surface sewage disposal, excreta disposal, and any other public health programs requiring issuance of licenses, permits, certificates, and/or seals of approval.

**PUBLIC HEALTH CODE (EXCERPT)**  
**Act 368 of 1978**

**333.16138 Board, committee, or task force; meetings; quorum; final action; voting by proxy prohibited; times and places of meetings; minutes; record of actions; meetings open to public.**

Sec. 16138. (1) A board, the committee, or a task force shall hold regular meetings at places and on separate dates fixed by it. The committee shall meet not less than quarterly. Special meetings may be called by the chairperson, by a majority of the members of the committee, a board, or a task force, or by the department. Except as otherwise provided in this article or in the bylaws of the committee, a board, or a task force, a majority of the members appointed and serving constitute a quorum. Final action by the committee, a board, or a task force shall be taken only by affirmative vote of a majority of the members present at a meeting or for a hearing. A member shall not vote by proxy.

(2) The department shall make available the times and places of meetings of the boards and the task forces and keep minutes of their meetings and a record of their actions. Meetings of a board, or a task force shall be open to the public in accordance with the open meetings act, Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws.

**History:** 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1986, Act 174, Imd. Eff. July 7, 1986;—Am. 1993, Act 80, Eff. Apr. 1, 1994.

**Compiler's note:** Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."

**Popular name:** Act 368

## **HISTORICAL COMMISSION**

**DEPARTMENT:** Planning & Economic Development

**CONTACTS:** Steve Cassin, Director ~ 469-5285  
Camille Silda ~ 469-6487

**ORIGIN:** Advisory committee established under the "Local Historic Districts Act"  
PA 169 (1970)

### **LOGISTICS:**

- The Chair's office notifies the Director of the Managing Department of the expiration of any members and asks for a recommendation.
- Appointees submit a completed Application for Appointment to Chair's Office
- The Chair's office prepares a memo for inclusion in the Commissioners' packets, nominating the appointee and asking for their concurrence at the next Full Board meeting. The memo and application should be given to Corinne at least 10 days prior to the meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

Members: 9 plus two staff liaison  
Tenure: 3 year terms  
Membership 2 members of the Board of Commissioners; an architect; an attorney;  
Designation: a member of the Macomb County Planning Commission; interested persons from as many different municipalities within Macomb County as feasible.

### **FUNCTION:**

The purpose of the Commission is to safeguard the heritage of the County by preserving historic structures and neighborhoods in the county that reflect elements of the count's history, architecture, archaeology, engineering or culture; stabilize and improve property values; foster civic beauty and community pride; strengthen the local economy; promote the use of historic preservation for the education, pleasure and welfare of the citizens of the county and state.

## **Macomb County Historic Commission 2003**

- A. The Macomb County Historic Commission is hereby established pursuant to Act No. 169 of the Public Acts of 1970, as amended and Act No. 213 of the Public Acts of 1957, as amended.
- B. The Purpose of the Commission is to:
- Safeguard the heritage of Macomb County by preserving historic structures and neighborhoods in the county that reflect elements of the county's history, architecture, archaeology, engineering or culture.
  - Stabilize and improve property values.
  - Foster civic beauty and community pride.
  - Strengthen the local economy.
  - Promote the use of historic preservation for the education, pleasure and welfare of the citizens of the county and state.
- C. Organization: The Macomb County Historic Commission shall consist of nine members to be recommended by the Chair of the Macomb County Board of Commissioners with the approval of the Board of Commissioners. All members shall reside within Macomb County. Members shall be appointed for three year terms except the initial appointments of some of the members shall be staggered so that subsequent appointments shall not occur at the same time. Thus, three members will be appointed for a one (1) year term, three members will be appointed for a two (2) year term and three members will be appointed for a three (3) year term. Members shall be eligible for reappointment. In the event of a vacancy on the Commission, interim appointments will be made within 60 calendar days by the Board of Commissioners to complete the term of such position. The majority membership shall consist of representative citizens who shall have demonstrated interest in or knowledge of historic preservation and Macomb County history. The Board shall appoint at least two members from the Board, also two members from a list of duly organized and existing County historic preservation societies. If available, an architect who is a graduate of an accredited school of architecture and has two years of architectural experience or who is an architect registered in this state; if available, an attorney who is duly registered in this state; a member of the Macomb County Planning Commission; and interested persons from as many different municipalities within Macomb County as feasible shall be appointed. Members may be removed by the majority vote of the Board of Commissioners when it is deemed in the best interest of the Historic Commission and the county.

## **HOSPITAL FINANCE AUTHORITY BOARD**

**DEPARTMENT:** Board of Commissioners

**CONTACTS:** Chair of the Authority Board

**ORIGIN:** Hospital Finance Authority Act, P.A. 38 of 1969

### **LOGISTICS:**

- The Chair's office notifies the Director of the Managing Department of the expiration of any members and asks for a recommendation.
- Appointees submit a completed Application for Appointment to Chair's Office
- The Chair's office prepares a memo for inclusion in the Commissioners' packets, nominating the appointee and asking for their concurrence at the next Full Board meeting. The memo and application should be given to Corinne at least 10 days prior to the meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

Members: 5 members

Tenure: 5 years

Membership: None

Designation:

### **FUNCTION:**

The Commission may issue revenue bonds to finance hospital construction and/or renovation projects; mortgage hospital facilities in favor of the bond holders; loan money to hospitals for the purpose of refinancing outstanding indebtedness of a hospital; employ consultant and fix their compensation; charge, impose and collect fees in connection with its loans; undertake a project for the benefit of one or more hospitals; and invest funds not required for immediate use or disbursement at its discretion.

## **HURON CLINTON METROPOLITAN AUTHORITY**

**DEPARTMENT:** Board of Commissioners

**CONTACTS:** John Hertel ~ 1-800-477-2757 (Administrative Office)

**ORIGIN:** "Huron Clinton Metropolitan Authority" Public Act 147 (1939)

**LOGISTICS:**

- The Chair's office issues a 60-Day YELLOW ALERT to all Commissioners and the Director of the managing department.
- The managing department sends letters to members with terms expiring within 60 days.
- The Chair's office issues a 30-Day MEMO, with an attached blank Application for Appointment form to each Commissioner.
- Applications should be given to Corinne at least 10 days prior to the Full Board meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to the Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

**COMPOSITION:**

Members: 7 members  
Tenure: Governor's appointees: 4 year terms; Commissioners: 6 year terms  
Membership 1 Commissioner from each of the county members: Wayne, Oakland,  
Designation: Macomb, Washtenaw and Livingston; the Governor appoints 2 additional members.

**FUNCTION:**

The Authority was established in 1940 by the citizens of Southeast Michigan as a corporate body for the purpose of planning, promoting, and/or for acquiring, constructing, owning, developing, maintaining and operating parks and/or limited access highways, as well as such connecting drives as may be deemed necessary. There are currently 13 Metroparks covering almost 24,000 acres. The mission of the Authority is to provide excellent recreational and educational opportunities while serving as stewards of its natural resources. "Our efforts are guided by the belief that the use of parks and exposure to natural environments enhance society's health and quality of life."

**HURON-CLINTON METROPOLITAN AUTHORITY (EXCERPT)**  
**Act 147 of 1939**

**119.54 Board of commissioners; election and appointment, term.**

Sec. 4. The Huron-Clinton metropolitan authority shall be directed and governed by a board of commissioners, 1 to be elected from each county of the metropolitan district by the boards of supervisors of the respective counties, and 2 to be appointed by the governor of Michigan. The elected commissioners shall be electors of their respective counties, and the appointed commissioners shall be electors of the metropolitan district. The appointed commissioners shall serve for 4 year terms or until their successors are appointed, except that for the first board 1 shall be appointed for a 2 year term. The terms of the elected commissioners shall be staggered so that not more than 1 term shall expire in any 1 year, and after the first board no terms shall be less than 6 years. For the first board the terms of the elected commissioners shall be in the order of the populations of the several counties, the commissioner from the most populous county having the longest term.

**History:** 1939, Act 147, Eff. Jan. 10, 1942;—CL 1948, 119.54.

## JURY COMMISSION

**DEPARTMENT:** County Clerk

**CONTACTS:** Carmella Sabaugh, County Clerk ~ 469-7939  
Denise Greiner, Chief Jury Clerk ~ 469-5844

**ORIGIN:** "Optional Unified Form of County Government" ~ P.A. 139 (1973)

**LOGISTICS:**

- The Chair's office notifies the Director of the Managing Department of the expiration of any members and asks for a recommendation.
- Appointees submit a completed Application for Appointment to Chair's Office
- The Chair's office prepares a memo for inclusion in the Commissioners' packets, nominating the appointee and asking for their concurrence at the next Full Board meeting. The memo and application should be given to Corinne at least 10 days prior to the meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

**COMPOSITION:**

Members: 3 members  
Tenure: 6 year terms  
Membership: None  
Designation:

**FUNCTION:**

The purpose of the commission is to maintain rosters of eligible jurors. Each year approximately 50,000 citizens are contacted to determine their eligibility to serve as jurors.



**REVISED JUDICATURE ACT OF 1961 (EXCERPT)**  
**Act 236 of 1961**

**600.1301 Jury board; appointment; qualifications; terms; existing boards; vacancies.**

Sec. 1301. (1) In counties having a population of less than 2,000,000, the jury board consists of 3 qualified electors of the county appointed by the county board of commissioners on recommendation of the circuit judges of the judicial circuit in which the county is situated, not more than 2 of whom shall be members of the same political party. The appointments shall be for 6-year terms.

(2) In counties having a population of 2,000,000 or more, the jury board consists of 7 qualified electors of the county appointed for 6-year terms by the county executive, with the concurrence of the county board of commissioners, on recommendation of the circuit judges of the judicial circuit in which the county is situated, not more than 4 of whom shall be members of the same political party. The executive secretary and stenographer shall receive compensation in an amount fixed by the county board of commissioners.

(3) A jury board member who was appointed under this section and is serving as a member on the effective date of the 2000 amendatory act that amended this section shall continue to serve as a member of that jury board until a vacancy is created by expiration of term or otherwise. A new appointment or an appointment to fill a vacancy in a jury board shall be made as provided in subsections (1) and (2).

**History:** Add. 1968, Act 326, Eff. Nov. 15, 1968;—Am. 1969, Act 326, Eff. Sept. 1, 1969;—Am. 2000, Act 454, Imd. Eff. Jan. 9, 2001.

## **JUVENILE JUSTICE ADVISORY BOARD**

**DEPARTMENT:** Juvenile Justice Center

**CONTACTS:** Chuck Seidelman, Director ~ 469-5240

**ORIGIN:** Board of Commissioners Recommendation August 11, 2005

**LOGISTICS:**

- The Chair's office receives the nominations from the Juvenile Justice Advisory Board/managing Director with a completed Application for Appointment form from each nominee. These applications should be given to Corinne to add to the Full Board Agenda at least 10 days prior to the Full Board meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

**COMPOSITION:**

Members: 15 members

Tenure:

Membership Representatives as specified in Juvenile Justice Advisory Board

Designation: bylaws.

**FUNCTION:**

# **MACOMB COUNTY JUVENILE COMMUNITY JUSTICE ADVISORY BOARD**

## **BYLAWS**

### **Article I – NAME AND ADDRESS**

The name of this organization shall be the Macomb County Juvenile Justice Advisory Board (Board/ J-JAB). The office address for the Board will be: Macomb County Juvenile Justice Center, 400 North Rose, Mt. Clemens, MI 48043.

### **Article II – PURPOSE**

The purpose of the Juvenile Justice Advisory Board (JJAB) is to assist with assessment and review of programs, assist with recommendations that provide well-rounded programs that include job readiness, educational needs, and treatment for mental health and substance use disorders in an effort to prevent recidivism. In addition the Board will work to strengthen community involvement with the Macomb County Juvenile Justice Center, increase public knowledge of juvenile justice related issues, and to provide recommendations for a comprehensive, cost-effective service delivery system. This Board will monitor progress related to gaining and maintaining accreditation in accord with state law, current correctional issues, new theories, techniques, and technologies

### **Article III – RESPONSIBILITIES**

The Advisory Board's responsibilities include advice, leadership and guidance in support of the county juvenile justice mission in conjunction with the Juvenile Justice Center, Juvenile Court, L'Anse Creuse Public Schools, support agencies and the community. Duties of the Advisory Board shall include:

- Assist in identifying needs and priorities in the development of services for youth and families involved in the juvenile justice system.
- Encourage and assist in developing programs in collaboration with local governmental units, community partners, schools, community members and groups and to integrate these programs with existing services.
- Promote, advocate, and enhance community awareness of and support for delinquency related issues and needs specific to Macomb County.
- Assist and provide input regarding funding and/or grant decisions.
- Participate in planning, measuring, and evaluating progress in meeting annual and long-term goals.
- Review policies, procedures, documentation, and outcome data to assure they are consistent with the overall mission, values and goals of the Juvenile Justice Center.

### **Article IV – MEETINGS**

#### **Section I. Frequency and Location:**

Board meetings will be held at a minimum, once per quarter. The Board Chairperson may call other meetings as necessary. Meetings may be held in various locations around the County.

#### **Section II. Quorum:**

Fifty percent of the current voting members of the Board shall constitute a quorum of the Board. A majority of those Board members present at a meeting where a quorum is present may pass any matter before the Board consistent with Advisory Board procedures and ByLaws.

**Section III. Minutes:**

Minutes of the proceedings of all meetings shall be maintained and filed at the office of the Juvenile Justice Center. All minutes of the Board are public records.

**Article V – MEMBERSHIP**

**Section I. Qualifications and Representation:**

The membership of the Advisory Board shall be representative of ethnic, socioeconomic, geographic and professional interests of the community. The Board shall maintain a minimum of 13 and a maximum of 16 members. Advisory Board members shall serve without remuneration.

**Section II. Nominations:**

Nominations for membership to the Advisory Board shall be submitted to the Macomb County Board of Commissioners for approval in accord with county board policy. The Advisory Board Chairperson shall forward nominations for approval of full Advisory Board.

**Section III. Designated Advisory Board Seats:**

Board membership may include representation in the following areas:

- Juvenile Court Judge (or designee) (1)
- District Court Judge (or designee) (1)
- County Commissioner (1)
- Defense Attorney (1)
- County Prosecutor (or designee) (1)
- County Sheriff (or designee) (1)
- Juvenile Court Probation Officer (1)
- L'Anse Creuse Public School Administrator (or designee) (1)
- County Health Officer (or designee) (1)
- Substance Abuse Professional (1)
- Mental Health Professional (1)
- Correctional Education Professional (1)
- Member of General Public (1)
- Governmental Unit Representative (1)
- Parent Representative (1) (selected by JJC Director)

**Section IV. Ex-Officio Members:**

The Juvenile Justice Director serves as an Ex-officio member. The board may appoint additional Ex-officio non-voting members, as it deems appropriate.

**Section V. Attendance:**

Advisory Board members shall endeavor to attend all meetings. Designees shall participate in all matters including voting in the absence of the principal.

**Section VI. Removal:**

Grounds for removal from the Advisory Board shall include taking a position that is in conflict with the mission of the Juvenile Justice Center or having three consecutive unexcused absences from the Advisory Board meetings. The member whose removal is placed in issue shall be given prior notice of his/her removal and a reasonable opportunity to be heard at a meeting of the Advisory Board. Such recommendations for removal shall be forwarded to the Macomb County Board of Commissioners.

**Article VI – VACANCIES**

**Section I. Vacancies:**

When a vacancy occurs on the Advisory Board, the Advisory Board shall select a replacement and recommend appointment of such replacement to the Advisory Board by the Macomb County Board of Commissioners.

**Article VII – OFFICERS**

**Section I. Term:**

The Board shall elect a Chairperson, Vice-Chairperson and Secretary for two-year terms.

**Section II. Elections:**

Elections will be held at the October meeting.

**Section III. Duties:**

Duties of the officers are as follows:

1. Chairperson:
  - a. Set the agenda.
  - b. Shall conduct the meeting in accordance with Robert's Rules of Order.
  - c. May call special meetings of the Advisory Board as necessary.
2. Vice-Chairperson:
  - a. Shall assist the Chairperson as needed.
  - b. Shall perform the duties of the Chairperson in his/her absence.
3. Secretary
  - a. Maintain the minutes of all meetings of the Advisory Board.
  - b. Prepares/facilitates correspondence as required.

**Article VIII – COMMITTEES**

**Section I. Standing Committees:**

The Advisory Board shall designate the following at Standing Committees:

1. Membership and Nominating
2. Program
3. Accreditation

#### 4. Bylaws

##### Section II. Ad-Hoc Committees:

Ad-Hoc Committees may be established by the Board as needed and may consist of additional individuals from the community chosen for their expertise and knowledge and concern about a specific issue or a field of endeavor. Once an Ad-Hoc Committee has completed all assigned tasks it shall cease to exist.

##### **Article IX – AUTHORITY**

The Juvenile Justice Advisory Board serves in an advisory capacity to the Macomb Board of Commissioners and the Juvenile Justice Center Director. The Advisory Board's authority is based upon the Macomb County Board of Commissioner's resolution establishing the Advisory Board.

##### **Article X – ADOPTION**

The Advisory Board shall review, revise, approve and adopt these ByLaws, by majority vote.

##### **Article XII – AMENDMENTS**

The Board may recommend to, amend, modify, or repeal these By-laws by majority affirmative vote of a quorum of the Advisory Board, provided that Advisory Board members are notified in writing of the proposed changes to the By-laws at least twenty (20) days prior to the regular or special meeting in which it is to be voted on. Proposed amendments shall be submitted to the Advisory Board chair in writing, along with a brief explanation as to the purpose of the amendment.

Macomb County Juvenile Justice Center Advisory Board By-Laws Recommendation

Action: Approval of By-Laws: Date: OCTOBER 22, 2007 (UPDATES PRIOR JANUARY 23, 2006 BY-LAWS)

Motion by: JOHN BRUFF Seconded by: CATHY STEENLAND

Approved: Mayssa Attia, Edna Clark, Eric Jackson, Tom Kalkofen, Nancy Supanich, Cathy Steenland, John Bruff, Keith Rengert, Judge Viviano

Disapproved: None

Motion Carried.

## **LOCAL EMERGENCY PLANNING COMMITTEE**

**DEPARTMENT:** Emergency Management

**CONTACTS:** Vicki Wolber, Acting Director ~ 469-6390

**ORIGIN:** U.S. -- S.A.R.A. Title III

### **LOGISTICS:**

- The Chair's office notifies the Director of the Managing Department of the expiration of any members and asks for a recommendation.
- Appointees submit a completed Application for Appointment to Chair's Office.
- The Chair's office prepares a memo for inclusion in the Commissioners' packets, nominating the appointee and asking for their concurrence at the next Full Board meeting. The memo and application should be given to Corinne at least 10 days prior to the meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

Members: Membership is not limited.  
Tenure: Lifetime appointments  
Membership Open to all interested individuals in Macomb County  
Designation:

### **FUNCTION:**

The purpose of the LEPC is to:

- Investigate the potential for hazardous chemical accidents in the community.
- To review, improve and implement plans to respond to such occurrences.
- Integrate plans into the main County Emergency Operations Plan (EOP).
- Disseminate information obtained under Title III to the general public.
- Make plans for the take appropriate measures to correct resource deficiencies.

## **MACOMB ORCHARD TRAIL COMMISSION**

### **DEPARTMENT:**

### **CONTACTS:**

**ORIGIN:** The Friends of the Macomb Orchard Trail were formed in 1998, to purchase the abandoned Canadian National Railroad corridor running through Macomb County for \$5.4 million. The Friends rallied the support of communities along the route and the Board of Commissioners. In 2001, the Commissioners secured a \$3.5 million grant from the Trust for Public Land and the "Macomb Orchard Trail Commission" was formed.

### **LOGISTICS:**

- The Chair's office issues a 60-Day YELLOW ALERT to all Commissioners and the Director of the managing department.
- The managing department sends letters to members with terms expiring within 60 days.
- The Chair's office issues a 30-Day MEMO, with an attached blank Application for Appointment form to each Commissioner. Chair's office checks with managing department to ascertain if any reappointment applications are expected.
- Applications should be given to Corinne at least 10 days prior to the Full Board meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to the Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

Members:	5 members of participating communities; *Note Board need only be concerned with appointing one commissioner member from Macomb County
Tenure:	Indefinite
Membership	One representative from each: A Commissioner from all County
Designation:	Boards, the Huron-Clinton Metro Parks, Shelby Twp, City of Richmond, Washington Twp.

### **FUNCTION:**

The Macomb Orchard Trail Commission, formed in July 2002, is charged with acquiring and converting the abandoned railroad into a 24 mile equestrian, bicycling and walking trail. The Commission is composed of Macomb County, Huron-Clinton Metroparks and the communities along the trail. Each organization has a representative on the Commission who is actively involved in the development and maintenance of the trail. The Commission, along with the support of the Friends of the Macomb Orchard Trail and Michigan Rails-to-Trails Conservancy, research, plan and direct further development of the trail.



**MACOMB/ST. CLAIR**  
**WORKFORCE DEVELOPMENT COMMISSION**

**DEPARTMENT:** Michigan Department of Career Development and the Board of Commissioners

**CONTACTS:** John H. Bierbusse, Director ~ 469-5220  
Laura Carne ~ 469-5220

**ORIGIN:** Executive Reorganization Order No. 1999-7

**LOGISTICS:**

- The Chair's office receives communication from Laura Carne regarding expiration of members. Laura drafts letters to expiring members which must be signed by Chair and mailed out. When the proper procedures have been completed, the names of nominees are submitted to the Chair's office by Laura.
- The Chair's office prepares a memo for inclusion in the Commissioners' packets, nominating the appointee(s) and asking for their concurrence at the next Full Board meeting. The memo should be given to Corinne at least 10 days prior to the meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing department/agency.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

**COMPOSITION:**

Members: Unlimited number

Tenure: 2 year term

Membership Interested parties from government, business and the community.

Designation:

**FUNCTION:**

The mission of the Board is to integrate those youth and adults facing barriers to employment into the labor force by providing customer driven job training and other employability support services that will result in increased levels of employment opportunities, wage earnings, enhanced educational and occupational skills; thereby improving the quality of the workforce and enhancing the productivity and competitiveness of Macomb and St. Clair county employers and the employer base in southeast Michigan. Our commitment is to be the leader in coordinating and providing quality, comprehensive workforce development, employment and training services through collaboration with business, education and other key local government and community organizations.

## **PARKS AND RECREATION COMMISSION**

### **DEPARTMENT:**

### **CONTACTS:**

**ORIGIN:** "County and Regional Parks" Public Act 261 (1965)

### **LOGISTICS:**

- The Chair's office issues a 60-Day YELLOW ALERT to all Commissioners and the Director of the managing department.
- The managing department sends letters to members with terms expiring within 60 days.
- The Chair's office issues a 30-Day MEMO, with an attached blank Application for Appointment form to each Commissioner. Chair's office checks with managing department to ascertain if any reappointment applications are expected.
- Applications should be given to Corinne at least 10 days prior to the Full Board meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to the Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

**Members:** 11 members

*\*Special provision for the additional member ... if there is a subdivision within 1000 feet, need subdivision representative\**

**Tenure:** 3 year terms

**Membership** Road Commission Chair (or designee), Public Works Commissioner;

**Designation:** Chair of Planning Commission (if no Planning Commission exists, must have SEMCOG representative – this member must be elected by 2/3 majority);  
7 members appointed by the Board of Commissioners; not less than 1 and no more than 3 may be members of the Board of Commissioners.

### **FUNCTION:**

The Commission establishes and administers the County Recreation and Open Space Plan to provide parks and recreation services for the County. This commission cooperates with local, regional and state agencies to improve the quality of life through recreational opportunities.

*State statute was amended to allow the Road Commission Chair to appoint one of the other County Road Commissioners to serve.*

**COUNTY AND REGIONAL PARKS (EXCERPT)**  
**Act 261 of 1965**

**46.351 County parks and recreation commission; creation; membership; terms; vacancy; commission as county agency; rules and regulations; compensation.**

Sec. 1. (1) The county board of commissioners of a county, by resolution adopted by a 2/3 vote of all its members, may create a county parks and recreation commission, which shall be under the general control of the board of commissioners.

(2) The county parks and recreation commission shall consist of the following members:

(a) The chairperson of the county road commission or another road commissioner designated by the board of county road commissioners.

(b) The county drain commissioner or an employee of the drain commissioner's office designated in writing by the drain commissioner.

(c) One of the following:

(i) In a county that elects a county executive under section 9 of 1973 PA 139, MCL 45.559, the county executive or a designee of the county executive.

(ii) In a county with a population of 1,000,000 or less, the chairperson of the county planning commission or another member of the county planning commission designated by the county planning commission. In a county that does not have a county planning commission, the chairperson of the regional planning commission shall serve on the county parks and recreation commission if that person is a resident of that county. If the chairperson of the regional planning commission is not a resident of that county, then the board shall, by a 2/3 vote, appoint a member of the regional planning commission who is a resident of that county to serve on the county parks and recreation commission.

(d) Seven members appointed by the county board of commissioners, not less than 1 and not more than 3 of whom shall be members of the board of commissioners.

(e) For counties with a population greater than 750,000 but less than 1,000,000, the county board of commissioners shall appoint a neighborhood representative. The appointee under this subdivision shall be an officer of the homeowners or property owners association that represents the largest area geographically that is located totally or partially within 1,000 feet of the property boundary of the most frequently used county park who is willing to serve on the county parks and recreation commission. If a homeowners or property owners association is not located within 1,000 feet of that park or no officer is willing to serve, then the appointee shall be a resident who lives within 1/2 mile of that park and who is willing to serve on the county parks and recreation commission. If no resident lives within 1/2 mile of that park or no resident is willing to serve, then the appointee shall be a resident of the city, village, or township in which that park is located who is willing to serve on the county parks and recreation commission. The first appointment under this subdivision shall be made not more than 60 days from October 17, 2003 or not more than 60 days from the date a county qualifies for an appointment under this subdivision.

(3) Of the members first appointed by the county board of commissioners, 2 shall be appointed for a term ending 1 year from the following January 1, 2 for a term ending 2 years from the following January 1, and 3 for a term ending 3 years from the following January 1. The first member appointed by a qualifying county under subsection (2)(e) shall be appointed for a term ending 2 years from the following January 1. From then on, each appointed member shall be appointed for a term of 3 years and until his or her successor is appointed and qualified. Each term shall expire at noon on January 1. A vacancy shall be filled by the county board of commissioners for the unexpired term.

(4) The county parks and recreation commission is an agency of the county. The county board of commissioners may make rules and regulations with respect to the county parks and recreation commission as the board of commissioners considers advisable. The members of the county parks and recreation commission are not full-time officers. The county board of commissioners shall fix the compensation of the members.

**History:** 1965, Act 261, Imd. Eff. July 21, 1965;—Am. 1981, Act 223, Eff. Mar. 31, 1982;—Am. 1986, Act 99, Imd. Eff. May 14, 1986;—Am. 1990, Act 84, Imd. Eff. May 25, 1990;—Am. 2000, Act 496, Imd. Eff. Jan. 11, 2001;—Am. 2003, Act 187, Imd. Eff. Oct. 17, 2003;—Am. 2006, Act 588, Imd. Eff. Jan. 3, 2007.

**COUNTY AND REGIONAL PARKS (EXCERPT)**  
**Act 261 of 1965**

**46.352 Regional parks and recreation commission; creation; membership; terms; vacancies; compensation.**

Sec. 2. The county boards of commissioners of 2 or more contiguous counties, by resolution adopted by a 2/3 vote of the members of each board, may create a regional parks and recreation commission. The commission shall consist of 4 members from each county including the chairperson of the county road commission or another road commissioner designated by the board of county road commissioners, and 3 members appointed by the county board of commissioners, at least 1 and not more than 2 of whom shall be members of the board of commissioners. Of the members first appointed, 1 each shall be appointed for terms ending 1, 2, and 3 years from the following January 1. Thereafter, each appointed member shall be appointed for a term of 3 years and until his or her successor is appointed and qualified. A vacancy shall be filled by the county board of commissioners for the unexpired term. Members of the regional parks and recreation commission shall not be full-time officers, and the regional parks and recreation commission shall fix the compensation of its members.

**History:** 1965, Act 261, Imd. Eff. July 21, 1965;—Am. 1986, Act 99, Imd. Eff. May 14, 1986.

## **PARTNERSHIP FOR SUSTAINABILITY**

**DEPARTMENT:** Detroit City Council / Board of Commissioners of Macomb, Oakland and Wayne Counties

**CONTACT:** Chair's Office ~ 469-5711  
\*This partnership is still in the formation stage; specific managing body has yet to be elected.\*

**ORIGIN:** Board Resolution, October 9, 2008  
Expected sunset date of December 31, 2011

### **LOGISTICS:**

- One voting member from each party appointed by Chair.
- Appointees submit a completed Application for Appointment to Chair's Office.
- The Chair's office prepares a memo for inclusion in the Commissioners' packets, nominating the appointee(s) and asking for concurrence of Board at the next Full Board meeting. The memo and application(s) should be given to Corinne at least 10 days prior to the meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).




### **COMPOSITION:**

**Members:** 2 Voting Members appointed by Chair; 6 or more as listed below  
**Tenure:** 3 year term  
**Membership Designation:** 2 County Commissioners (current) – one from each party – and:  
One BOC or PED staff person to provide support and follow-up duties  
One representative from Facilities & Operations  
One representative from Planning & Economic Development  
One representative from Public Works  
One representative from MSU Extension  
One member of each of the Chambers of Commerce in Macomb County  
Other representatives as determined by voting members of Partnership

### **FUNCTION:**

In recognition of our shared concerns and of the regional collaboration that will be required to tackle them, the goal of the Going Green Subcommittee of the Tri-County Summit 2008 is to produce a plan for the creation of a Regional Partnership for Sustainability. Such a partnership will be a framework for dealing with the wide range of environmental and economic challenges the southeast Michigan region faces today. The Partnership will be a substantive product of the Tri-County Summit; it will be an entity through which local governments, business, and institutions of the region can reach consensus and work together to craft agreements resulting in solutions for a sustainable future. Partners will identify a unified vision for regional sustainability that will be a guiding framework for sustainable practices. In order to implement the vision, a regional sustainability council should be formed and each partner will adopt a sustainability plan that promotes the triple bottom line by establishing baseline data, identifying indicators, and determining benchmarks for improvement.

# Board of Commissioners 2008

 RESOLUTION  NO.	Sixty-Five	 
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Official Resolution of the Board of Commissioners  
Macomb County, Michigan

**A Resolution to Establish a Regional  
Partnership for Sustainability**

Commissioner Kathy D. Vosburg,  
On Behalf of the Board of Commissioners,  
Offers the Following Resolution:

**WHEREAS**, environmental and economic challenges are regional in nature and will be most effectively addressed by cooperation across jurisdictional boundaries; and

**WHEREAS**, the Detroit City Council and the County Commissions of Wayne, Oakland, and Macomb Counties convened at the 2008 Tri-County Summit to collaborate in finding regional solutions to environmental and economic issues; and

**WHEREAS**, a sustainable future is one built on meeting today's needs without compromising the ability of future generations to meet their needs, and must encompass the triple bottom line of environmental integrity, economic prosperity and social equity; and

**WHEREAS**, this objective can best be achieved through a joint partnership between the Detroit City Council and the County Commissions of Wayne, Oakland, and Macomb Counties; and

**WHEREAS**, such a partnership, to be called the Regional Partnership for Sustainability, will establish a framework for dealing with a wide range of environmental and economic challenges faced by the southeast region of Michigan; and

**WHEREAS**, the Partnership will be a substantive product of the 2008 Tri-County Summit, as well as an entity through which government, business and institutions within the region can work together to craft desired goals resulting in solutions for a sustainable future; and

**WHEREAS**, we are confident that such a commitment from the Tri-County communities will prove to be a model for regional growth and sustainability;

**THEREFORE BE IT RESOLVED**, that the Detroit City Council and the Wayne, Oakland, and Macomb County Commissions hereby recognize the significant benefit of regional cooperation and join together to establish the Regional Partnership for Sustainability; and

**BE IT FURTHER RESOLVED**, that a steering committee shall be formed with two bipartisan (as appropriate) voting representatives each from the Detroit City Council and the Commissions of Wayne, Oakland, and Macomb Counties to provide direction and oversight; the steering committee will also include non-voting members representing city and county departments and subject experts; and

BE IT FURTHER RESOLVED, that the Detroit City Council and the Commissions of Wayne, Oakland, and Macomb Counties shall take a vote regarding the establishment of the Partnership by November 15, 2008; and providing the Partnership is established, convene the first meeting of the steering committee by January 16, 2009. Macomb County's representatives will be appointed by the Board Chair, with concurrence of the Macomb County Board of Commissioners; and

BE IT FINALLY RESOLVED, that the Partnership will have a three-year duration with the option to continue its work towards a sustainable region beyond three years as deemed fit and necessary.

William A. Crouchman, Chairman  
Macomb County Board  
of Commissioners

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Carmella Sabaugh  
Macomb County Clerk

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Kathy D. Vosburg, County Commissioner  
District 25

## **RETIREE HEALTH CARE BOARD**

**DEPARTMENT:** Finance Department

**CONTACTS:** Dave Diegel, Director ~ 469-5250  
Terri Scott ~ 469-5250

**ORIGIN:** Internal Revenue Service Code of 1986, Sections 105 and 106.

**LOGISTICS:**

- The Chair's office notifies the Director of the Managing Department of the expiration of any members and asks for a recommendation.
- Appointees submit a completed Application for Appointment to Chair's Office
- The Chair's office prepares a memo for inclusion in the Commissioners' packets, nominating the appointee and asking for their concurrence at the next Full Board meeting. The memo and application should be given to Corinne at least 10 days prior to the meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

**COMPOSITION:**

Members: 7 members  
Tenure: Indefinite, until successors are appointed  
Membership: County Treasurer, County Director of Finance, 5 Commissioners (Chair of the Budget Committee, Chair of the Finance Committee, the Board  
Designation: Chair's designee to the Employee Retirement Commission and 2 other members designated by the Chair

**FUNCTION:**

The purpose of the Plan is to provide medical coverage and health benefits to eligible retirees who elect coverage and receive monthly benefits under the Retirement System. The Plan also provides medical coverage and health benefits to the electing spouse of a retiree who is married to the retiree at the time of the retiree's retirement. Benefits under the Plan may be funded through a combination of employer, employee, and spouse contributions.



## **RETIREMENT COMMISSION**

**DEPARTMENT:** Finance Department

**CONTACTS:** Dave Diegel, Director ~ 469-5310  
Terri Scott ~ 469~5310

**ORIGIN:** MCLA 46.12 (a)

**LOGISTICS:** Applications and nominations are filed through the Finance Department.

**COMPOSITION:**

Members: 7 members  
Tenure: 3 year terms  
Membership 3 members elected by the employees; 4 members by virtue of their  
Designation: public office (the Chair of the Board of Commissioners or his/her  
designee; the Chair of the Budget Committee; the Chair of the Finance  
Committee; and the Chair of the County Road Commission or his/her  
designee). No more than two members can come from any one County  
department or the Road Commission.

**FUNCTION:**

Established for the purpose of providing pension and retirement benefits for the employees of the County and employees and officials of its several offices, departments and boards, including the Road Commissioners and its employees.

## **ROAD COMMISSION**

**DEPARTMENT:** Macomb County Road Commission

**CONTACTS:** Bob Hoepfner ~ 463-8671

**ORIGIN:** "Public Highways and Private Roads" P.A. 283 (1909), MCL 224.6, 247.659a, 247.660c, 257.628, 560.183

### **LOGISTICS:**

- The Chair's office issues a 60-Day YELLOW ALERT to all Commissioners and the Director of the managing department.
- The managing department sends letters to members with terms expiring within 60 days.
- The Chair's office issues a 30-Day MEMO, with an attached blank Application for Appointment form to each Commissioner. Chair's office checks with managing department to ascertain if any reappointment applications are expected.
- Applications should be given to Corinne at least 10 days prior to the Full Board meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to the Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

Members: 3 members  
Tenure: 6 year terms  
Membership None  
Designation:

### **FUNCTION:**

This commission initiates policy for the construction, operation and maintenance of the 2,942 lane miles of county primary and local roads, 756 bridges and drain structures, and 166 miles of state trucking and freeways under contract for the Michigan Department of Transportation.

## PUBLIC HIGHWAYS AND PRIVATE ROADS (EXCERPT)

Act 283 of 1909

### **224.6 Board of county road commissioners; election or appointment; notice of election; date; term of office; removal from office; notice of charges; county with population of 1,500,000 or more; powers and duties; reorganization; expenditure of funds; alteration of number of county road commissions.**

Sec. 6. (1) Except as provided under subsection (4) or (5), in a county where the county road system is adopted, a board of county road commissioners consisting of not less than 3 members or more than 5 members shall be elected by the people of the county. The initial road commissioners shall be appointed by the county board of commissioners or elected at a general or special election called for that purpose, as determined by the county board of commissioners. The county board of commissioners may by resolution provide for staggered terms of office for the road commissioners under this subsection so that not more than 2 road commissioners' terms of office expire in the same year.

(2) If the road commissioners are appointed, they shall hold office only until January 1 of the first odd-numbered year following the date of appointment. If the road commissioners are to be elected at a general or special election, notice of the election, embodying a copy of the resolutions of the county board of commissioners, giving the number and terms of the office of the road commissioners to be elected, shall be published by the clerk as required by section 3 of this chapter.

(3) The regular election of county road commissioners shall be held at the general election on the first Tuesday after the first Monday in November. The term of office of an elected county road commissioner shall commence on January 1 in the year following his or her election. The notice of the election shall be given at the time notice is given of the general election of county officers.

(4) The election of county road commissioners shall not be mandatory in any county that contains all or part of 12 surveyed townships as determined by the government survey of the county. Except as provided under subsection (5), in a county under this subsection the county board of commissioners, by a majority of its members elect, may appoint the county road commissioners. A county road commissioner appointed under this subsection shall not be removed from office before the expiration of his or her term of office without being given written notice of the charges made against him or her and an opportunity to appear before the county board of commissioners for a hearing on the charges.

(5) In a county having a population of 1,500,000 or more that has adopted a charter under 1966 PA 293, MCL 45.501 to 45.521, the powers and duties that are otherwise provided by law for a board of county road commissioners may be reorganized by amendment to the charter. Funds provided to the county under 1951 PA 51, MCL 247.651 to 247.675, shall only be expended for the purposes provided under 1951 PA 51, MCL 247.651 to 247.675.

(6) If the county board of commissioners proposes to alter the number of county road commissioners as allowed under this act, the county board of commissioners shall hold not less than 1 public hearing on the proposed change to the road commission. The county board of commissioners shall give notice as required under the open meetings act, 1976 PA 267, MCL 15.261 to 15.275, of the time and place of the public hearing not less than 28 days before the hearing. The county board of commissioners shall also provide written notice of the hearing to the county road commission and, if available, by posting the notice on the county's website. The county board of commissioners may vote on whether to alter the number of county road commissioners at the meeting noticed under this subsection.

**History:** 1909, Act 283, Eff. Sept. 1, 1909;—Am. 1911, Act 148, Eff. Aug. 1, 1911;—Am. 1913, Act 400, Eff. Aug. 14, 1913;—Am. 1915, Act 75, Eff. Aug. 24, 1915;—Am. 1915, Act 181, Eff. Aug. 24, 1915;—CL 1915, 4352;—Am. 1917, Act 356, Imd. Eff. May 10, 1917;—Am. 1929, Act 233, Eff. Aug. 28, 1929;—CL 1929, 3981;—CL 1948, 224.6;—Am. 1982, Act 299, Imd. Eff. Oct. 11, 1982;—Am. 2006, Act 598, Imd. Eff. Jan. 3, 2007.

**Compiler's note:** As to inter-county highways, super-highways, and limited access highways, see MCL 252.1 et seq.

**Former law:** See section 6 of Act 149 of 1893, being CL 1897, § 4267; Act 197 of 1905; and Act 82 of 1907.

**Popular name:** County Road Law

**PUBLIC HIGHWAYS AND PRIVATE ROADS (EXCERPT)**  
**Act 283 of 1909**

**224.8 County road commissioners; vacancies; compensation; participation in insurance or retirement program.**

Sec. 8. (1) If a vacancy occurs in the office of county road commissioner, the county board of commissioners shall appoint a county road commissioner to fill the vacancy. The county road commissioner who is appointed shall hold office for the unexpired portion of the term in which the vacancy occurs. Each county road commissioner shall hold office until his or her successor is elected or appointed and qualified.

(2) The county board of commissioners shall fix the compensation of county road commissioners.

(3) The county board of commissioners may authorize the participation of county road commissioners in an insurance or retirement program established under section 10a. Any such authorization granted by a county board of commissioners before this subsection was added is valid. The cost of participation in the insurance or retirement program shall be paid by the county road commission from county road funds.

**History:** 1909, Act 283, Eff. Sept. 1, 1909;—Am. 1911, Act 148, Eff. Aug. 1, 1911;—Am. 1913, Act 371, Eff. Aug. 14, 1913;—CL 1915, 4354;—CL 1929, 3983;—Am. 1943, Act 121, Eff. July 30, 1943;—CL 1948, 224.8;—Am. 1951, Act 50, Eff. June 1, 1951;—Am. 1994, Act 320, Imd. Eff. Oct. 6, 1994.

**Former law:** See Act 149 of 1893, being CL 1897, § 4269; and Act 197 of 1905.

**Popular name:** County Road Law

**SEMCOG**  
**(Southeast Michigan Council of Governments)**

**CONTACTS:** Paul Tait, Executive Director  
Amy Malmer, Membership Manager ~ 313-961-4266

**ORIGIN:** Transportation Federal Highway Act of 1963 and Urban Mass Transit Act of 1964 (Now Transportation Equity Act for the 21<sup>st</sup> Century, TEA-21)  
Environmental Clean Air Act and Clean Water Act  
General State enabling legislation  
Act 281 (1945), as amended (Regional Planning Commission Act)

**LOGISTICS:**

- The Chair's office prepares a memo for inclusion in the Commissioners' packets, nominating the appointee and asking for their concurrence at the next Full Board meeting. The memo and a completed Application for Appointment should be given to Corinne at least 10 days prior to the meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

**COMPOSITION:**

**Members:** SEMCOG is the designated State Planning and Development Region No. 1, covering the 7 counties of Livingston, Macomb, Monroe, Oakland, St. Clair, Washtenaw and Wayne. There are 240 local governments, including 7 intermediate school districts, 9 community colleges and 5 public universities in the 7 counties of which 147 make up SEMCOG's current membership.

**Tenure:** No term limit

**Membership** Macomb County has 4 delegate and four alternate positions. All  
**Designation:** delegates are County Commissioners except one can be a Road Commissioner

**FUNCTION:**

SEMCOG is a regional planning partnership, accountable to member local governments in Southeast Michigan. The primary missions of the organization are planning on issues that extend beyond individual government boundaries and intergovernmental relations in cooperation with local government, as well as state and federal agencies. The SEMCOG partnership strengthens efficient and effective local government, supporting local planning through its technical, data and intergovernmental resources.

**REGIONAL PLANNING (EXCERPT)**  
**Act 281 of 1945**

**125.12 Regional planning commission; creation; service by members of county board of commissioners.**

Sec. 2. Regional planning commissions may be created by resolution by 2 or more legislative bodies of any local governmental units desiring to create a regional planning commission. Members of county boards of commissioners shall not be prohibited from serving on a commission created hereby.

**History:** 1945, Act 281, Eff. Sept. 6, 1945;—CL 1948, 125.12;—Am. 1952, Act 194, Eff. Sept. 18, 1952;—Am. 1976, Act 427, Imd. Eff. Jan. 11, 1977.

## **SMART BOARD**

**DEPARTMENT:** Stand Alone

**CONTACTS:** Hayes Jones, Director of SMART ~ 313-223-2110  
(Toni)

**ORIGIN:** Public Act 207 (1967), as amended

**LOGISTICS:**

- The Chair's office prepares a memo for inclusion in the Commissioners' packets, nominating the appointee and asking for their concurrence at the next Full Board meeting. The memo and a completed Application for Appointment should be given to Corinne at least 10 days prior to the meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

**COMPOSITION:**

Members: 7 members

Tenure: Indefinite

Membership Designation: The CEO of Oakland, Wayne and Macomb counties and a delegate of appointed at the sole discretion of the CEO. The counties of Livingston, Monroe, St. Clair and Washtenaw are collectively represented on the board by one person from each county. In Macomb County, the CEO is the Chair of the Board of Commissioners.

**FUNCTION:**

The Smart Board develops overall policy for public transportation for Southeastern Michigan.

**METROPOLITAN TRANSPORTATION AUTHORITIES ACT OF 1967 (EXCERPT)**  
Act 204 of 1967

**124.410 Provisions applicable only to authorities other than southeastern Michigan transportation authority; provisions applicable only to southeastern Michigan transportation authority.**

Sec. 10. (1) The following subdivisions shall apply only to authorities other than the southeastern Michigan transportation authority:

(a) Authorities shall be governed by a board consisting of 9 members. The term of office of the members of the board shall be 3 years, except that of the members first appointed 3 shall be for 1 year, 3 for 2 years, and 3 for 3 years. All terms shall expire on June 30 except that members shall serve until their successors are appointed. The members of the board may be removed by the appointing authority for cause. Any vacancy in office shall be filled by the governor for the remainder of the unexpired term. The members shall annually elect a chairman and vice-chairman from among their members. The board shall hold regular monthly meetings and special meetings as necessary at times as it determines, and shall designate the time and place of those meetings. It shall adopt its own rules of procedure and shall keep a record of its proceedings. Five members constitute a quorum for the transaction of business and the affirmative vote of a majority of all the members shall be necessary for the adoption of a motion or resolution. The members of a board shall be residents of the counties included in the authority.

(b) A county choosing not to participate in an authority may withdraw by a majority vote of its elected county board of commissioners within 1 year after the establishment of the authority and by a 2/3 vote of the board of commissioners at any time thereafter. If a county withdraws from an authority pursuant to this section, the term of a member of the board from the county which withdraws shall expire at the time of the county's withdrawal.

(c) Each member of the board shall receive reimbursement for expenses incurred in the discharge of his duties as a board member. Each member of the board may receive compensation of not more than \$35.00 for each meeting of the board the member attends, not exceeding 4 meetings per month. The chairman of the board may receive compensation of not more than \$45.00 for each meeting of the board the chairman attends, not exceeding 4 meetings per month. A copy of the proceedings of each board meeting shall be available for public inspection during normal working hours at the offices of the board.

(d) Six members of the board shall be appointed by the governor with the advice and consent of the senate, from lists of 3 or more names each submitted by the county boards of commissioners of member counties and the mayor of cities within the authority with a population of more than 500,000. Three members shall be appointed directly by the governor with the advice and consent of the senate.

(e) An authority shall hold a public hearing on its annual operating and capital budget, financial audits, and construction plans.

(f) An authority shall also maintain close working and coordinating relationships with the state, local, and federal agencies or other agencies to the end that duplication of effort is minimized and that the planning and implementation functions work together in the public interest to carry out the purposes of this act.

(2) The following subdivisions shall apply only to the southeastern Michigan transportation authority:

(a) The board of the southeastern Michigan transportation authority shall be composed of the chief executive officers of each county in which a city having a population of 750,000 or more is located within the area served by the southeastern Michigan transportation authority and of all other counties immediately contiguous to such city, and the representative of each such chief executive officer to be designated in the sole discretion of, and serve at the sole pleasure of, that chief executive officer. A chief executive officer may designate an alternate to serve in his or her place on the board. The counties of Livingston, Monroe, St. Clair, and Washtenaw shall be collectively represented on the board by 1 person from these counties. The counties shall determine their representative member on the board in a manner to be determined by the counties. The county from which the representative member is to be selected shall rotate among the counties at least every 2 years and the member shall be a resident of the county from which the member is to be selected. If 1 or more of the counties of Livingston, Monroe, St. Clair, and Washtenaw withdraw from the authority, the member shall rotate among, and be selected from, the remaining counties.

(b) The board by a majority vote shall adopt bylaws and rules of procedure governing its meetings. A majority vote for the adoption of bylaws and rules of procedure and for the transaction of business shall not be effective unless it includes at least 1 vote from each county in which a city having a population of 750,000 or more is located, and at least 1 vote from each county immediately contiguous to such city.

(c) The business which the board may perform shall be conducted at a public meeting of the board held in compliance with the open meetings act, Act No. 267 of the Public Acts of 1976, being sections 15.261 to



15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976.

(d) The board shall do the following:

(i) Obtain an annual audit in accordance with sections 6 to 13 of the uniform budgeting and accounting act, Act No. 2 of the Public Acts of 1968, being sections 141.426 to 141.440a of the Michigan Compiled Laws. The audit shall also be in accordance with generally accepted government auditing standards as promulgated by the United States general accounting office and shall satisfy federal regulations relating to federal grant compliance audit requirements. A copy of the annual audit shall be filed with the state treasurer in accordance with section 4(2) of the uniform budgeting and accounting act, Act No. 2 of the Public Acts of 1968, and a copy shall be filed with the state transportation department in accordance with section 10h(2) of Act No. 51 of the Public Acts of 1951, being section 247.660h of the Michigan Compiled Laws.

(ii) Prepare budgets and appropriations acts in accordance with sections 14, 15(1)(a) to (g), 15(1)(i), 15(2), 16, 17, 18, and 19 of the uniform budgeting and accounting act, Act No. 2 of the Public Acts of 1968, being sections 141.434 to 141.439 of the Michigan Compiled Laws.

(iii) If ending a fiscal year in a deficit condition, file a financial plan to correct the deficit condition in the same manner as provided in section 21(2) of Act No. 140 of the Public Acts of 1971, being section 141.921 of the Michigan Compiled Laws. A copy of the financial plan shall also be filed with the state transportation department.

(e) The board may change the name of the authority by a majority vote of the members as described in subdivision (b). The board shall notify the state transportation commission within 10 days after a name change is adopted.

(f) The board shall guarantee each of the counties of Livingston, Monroe, St. Clair, and Washtenaw, as long as they remain members of the authority, the average percentage of state transportation funds allocated to the authority that each county received in the last 5 fiscal years before the effective date of this subdivision. The state transportation department shall be responsible for determining these percentages.

**History:** 1967, Act 204, Imd. Eff. July 10, 1967;—Am. 1968, Act 233, Imd. Eff. June 26, 1968;—Am. 1970, Act 250, Imd. Eff. Dec. 31, 1970;—Am. 1976, Act 266, Eff. Apr. 15, 1977;—Am. 1988, Act 481, Imd. Eff. Dec. 28, 1988.

**SOCIAL SERVICES BOARD**  
**(formerly Family Independence Agency)**

**DEPARTMENT:** State of Michigan, Family Independence Agency

**CONTACTS:** Angelo Nicholas, Director ~ 412-6143  
Brenda Piekarski ~ 412-6107

**ORIGIN:** Social Welfare Act 280 (1939), Section 400.45 and 400.46

**LOGISTICS:**

- The Chair's office issues a 60-Day YELLOW ALERT to all Commissioners and the Director of the managing department.
- The managing department sends letters to members with terms expiring within 60 days.
- The Chair's office issues a 30-Day MEMO, with an attached blank Application for Appointment form to each Commissioner. Chair's office checks with managing department to ascertain if any reappointment applications are expected.
- Applications should be given to Corinne at least 10 days prior to the Full Board meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to the Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

**COMPOSITION:**

Members: 2 members

Tenure: 3 years

Membership In addition to the 2 appointees by the Board of Commissioners, the State

Designation: Welfare Commission will appoint 1 delegate for a total of 3 members.

**FUNCTION:**

The function of the county Family Independence Agency is to administer programs that provide financial assistance, medical assistance and social services to eligible county residents. As a state agency, it is responsible for administering Federal and/or State funded programs including Family Independence Program (formerly ADC), food assistance, state emergency relief, Medicaid, delinquency, foster care, adoption, licensing, adult social services, protective services and employment and training services. In addition, the County provides assistance and administrative funding for resident county hospitalization, county emergency assistance and County foster care.

MCL §400.45 requires the existence of the board.

MCL §400.46 states that the County Board of Commissioners shall determine compensation. They currently receive a per diem of \$35.00. Payment to members is mandatory.

## **SOLID WASTE PLANNING COMMITTEE**

**DEPARTMENT:** Planning and Economic Development

**CONTACTS:** Steve Cassin, Director ~ 469-5285  
Don Morandini, Deputy Director ~ 469-5118  
Cheryl Bushbaker ~ 469-5285

**ORIGIN:** "Natural Resources and Environmental Protection Act" Public Act 451(1994) Part 115 and 1999 Macomb County Solid Waste Management Plan.

### **LOGISTICS:**

- The Chair's office notifies the Director of the Managing Department of the expiration of any members and asks for a recommendation.
- Appointees submit a completed Application for Appointment to Chair's Office
- The Chair's office prepares a memo for inclusion in the Commissioners' packets, nominating the appointee and asking for their concurrence at the next Full Board meeting. The memo and application should be given to Corinne at least 10 days prior to the meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

Members: 14 members  
Tenure: 2 year terms  
Membership 4 members from the solid waste industry;  
Designation: 2 members from environmental interest groups;  
1 member representing county government;  
1 member representing city government;  
1 member representing township government;  
1 member representing a regional solid waste planning agency;  
1 member representing industrial waste generators;  
3 members representing the general public

### **FUNCTION:**

The Commission assists the County Department of Planning and Economic Development in preparing and enforcing a Countywide Solid Waste Management Plan.

**NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)**  
**Act 451 of 1994**

**324.11534 Planning committee; purpose; appointment, qualifications, and terms of members; approval of appointment; reappointment; vacancy; removal; chairperson; procedures.**

Sec. 11534. (1) The county executive of a charter county that elects a county executive and that chooses to prepare a solid waste management plan under section 11533 or the county board of commissioners in all other counties choosing to prepare an initial solid waste management plan under section 11533, or the municipalities preparing an initial solid waste management plan under section 11533(4), shall appoint a planning committee to assist the agency designated to prepare the plan under section 11533. If the county charter provides procedures for approval by the county board of commissioners of appointments by the county executive, an appointment under this subsection shall be subject to that approval. A planning committee appointed pursuant to this subsection shall be appointed for terms of 2 years. A planning committee appointed pursuant to this subsection may be reappointed for the purpose of completing the preparation of the initial solid waste management plan or overseeing the implementation of the initial plan. Reappointed members of a planning committee shall serve for terms not to exceed 2 years as determined by the appointing authority. An initial solid waste management plan shall only be approved by a majority of the members appointed and serving.

(2) A planning committee appointed pursuant to this section shall consist of 14 members. Of the members appointed, 4 shall represent the solid waste management industry, 2 shall represent environmental interest groups, 1 shall represent county government, 1 shall represent city government, 1 shall represent township government, 1 shall represent the regional solid waste planning agency, 1 shall represent industrial waste generators, and 3 shall represent the general public. A member appointed to represent a county, city, or township government shall be an elected official of that government or the designee of that elected official. Vacancies shall be filled in the same manner as the original appointments. A member may be removed for nonperformance of duty.

(3) A planning committee appointed pursuant to this section shall annually elect a chairperson and shall establish procedures for conducting the committee's activities and for reviewing the matters to be considered by the committee.

**History:** 1994, Act 451, Eff. Mar. 30, 1995.

**Popular name:** Act 451

**Popular name:** NREPA

**Popular name:** Solid Waste Act

## **SUBSTANCE ABUSE ADVISORY COUNCIL**

**DEPARTMENT:** Community Mental Health

**CONTACTS:** Randy O'Brien, Director ~ 469-5278  
Lisa

**ORIGIN:** P.A. 368 (1978), also MCLA Sec. 330.1212 and 330.1218

**LOGISTICS:**

- The Chair's office receives the nominations from CMH-Office of Substance Abuse with a completed Application for Appointment form from each nominee. These applications should be given to Corinne to add to the Full Board Agenda at least 10 days prior to the Full Board meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

**COMPOSITION:**

Members: 11 Members (Not less than 10, no more than 21)  
Tenure: 3 years  
Membership Representatives from public and private treatment and prevention  
Designation: programs, along with members of the community.

**FUNCTION:**

Evaluates statistical reports, contracts and budgets for the CMH-Substance Abuse Office.

**MENTAL HEALTH CODE (EXCERPT)**  
**Act 258 of 1974**

**330.1218 Joining established services program.**

Sec. 218. Any county that adjoins a county having an established community mental health services program may elect, by a majority vote of its board of commissioners, to join that established community mental health services program. The joining must be approved by the board of commissioners of each county already participating in the established community mental health services program, and the joining shall become effective on January 1 following the date of final approval. Upon the joining, the board of the established community mental health services program shall be dissolved, and a new board shall be appointed in the manner provided in sections 212 and 214.

**History:** 1974, Act 258, Eff. Aug. 6, 1975;—Am. 1995, Act 290, Eff. Mar. 28, 1996.

## **UNITED WAY FEMA BOARD**

**DEPARTMENT:**               MCCSA

**CONTACTS:**               Frank Taylor, Director ~ 469-5905

**ORIGIN:**

**LOGISTICS:**

- The Chair's office notifies the Director of the Managing Department of the expiration of any members and asks for a recommendation.
- Appointees submit a completed Application for Appointment to Chair's Office
- The Chair's office prepares a memo for inclusion in the Commissioners' packets, nominating the appointee and asking for their concurrence at the next Full Board meeting. The memo and application should be given to Corinne at least 10 days prior to the meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

Members:               1 Commissioner representative from Macomb County

Tenure:

Membership           Current-term commissioner

Designation:

### **FUNCTION:**

Since the County Commissioners have elected to have Macomb County belong to the local Community Services of Metropolitan Detroit, representation for the County is mandatory.

There is no statutory requirement for compensation to the county representative and no payments are being made at this time.

## VETERANS AFFAIRS COMMISSION

**DEPARTMENT:** Veterans Services

**CONTACTS:** Kermit Harris ~ 469-5315

**ORIGIN:** Public Act 192 (1953), Sections 35.621, 35.622, 35.623 and 35.624.

**LOGISTICS:**

- The Chair's office issues a 60-Day YELLOW ALERT to all Commissioners and the Director of the managing department.
- The managing department sends letters to members with terms expiring within 60 days.
- The Chair's office issues a 30-Day MEMO, with an attached blank Application for Appointment form to each Commissioner. Chair's office checks with managing department to ascertain if any reappointment applications are expected.
- Applications should be given to Corinne at least 10 days prior to the Full Board meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to the Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

**COMPOSITION:**

**Members:** 3 to 5 veterans who are residents of the County and who have served honorably on active duty, or who have served actively in a war in which the U.S. has been, is, or may hereafter be a participant.

**Tenure:** 4 year terms

**Membership:** **No more than two members will be representative of a single war.**

**Designation:**

**\*Applications must have attached a letter of recommendation from the Post Commander and endorsement by commissioner.\***

**FUNCTION:**

The Macomb County Veterans Service is a total human resource delivery agency to the veteran population. The department assists veterans, their spouses, and other family members with a wide variety of benefits, including: Non-service pensions, service connected claims, dependency and indemnity compensation, education benefits, vocational rehabilitation education/medical benefits, RH insurance, application for certificate of eligibility, burial benefits, county benefits available to veterans and limited access to the VA Medical Center in Detroit.



**COUNTY DEPARTMENT OF VETERANS' AFFAIRS**  
**Act 192 of 1953**

AN ACT to create a county department of veterans' affairs in certain counties, and to prescribe its powers and duties; and to transfer the powers and duties of the soldiers' relief commission in such counties.

History: 1953, Act 192, Eff. Oct. 2, 1953.

*The People of the State of Michigan enact:*

**35.621 County department of veterans' affairs; creation; administration; committee; appointment, qualifications, and terms of members; vacancies.**

Sec. 1. The county board of commissioners may create a county department of veterans' affairs. The department shall be under the administration of a committee of 3 to 5 veterans, appointed by the county board of commissioners, who shall be residents of the county and who have served honorably on active duty in the United States armed forces or who served actively in the United States armed forces in a war or received an armed forces campaign or service medal, to be appointed upon the recommendation of the posts of each chartered veterans' organization within the county. If an opening on a committee of veterans occurs, the county board of commissioners shall provide notice of that opening to 1 or more newspapers within the county and to veteran service organizations within the county. Not more than 2 members shall be representative of a single war or conflict. Notwithstanding the provisions of any law of this state to the contrary, a member of the board of commissioners of a county shall be eligible for appointment. Members appointed by the board of commissioners shall be appointed for a term of 4 years each. However, the terms for members first appointed shall be staggered so that not more than 2 vacancies are scheduled to occur in a single year. Vacancies shall be filled in the same manner as original appointments for the unexpired terms.

History: 1953, Act 192, Eff. Oct. 2, 1953;—Am. 1958, Act 156, Eff. Sept. 13, 1958;—Am. 1968, Act 204, Imd. Eff. June 24, 1968;—Am. 1973, Act 153, Imd. Eff. Dec. 6, 1973;—Am. 1996, Act 108, Imd. Eff. Mar. 5, 1996;—Am. 2004, Act 11, Imd. Eff. Feb. 26, 2004

**35.622 Soldiers' relief commission; abolition, transfer of powers and duties to county department of veterans' affairs.**

Sec. 2. In any county in which the board of supervisors adopts the provisions of this act, section 2 of the act creating the soldiers' relief commission created under the provisions of Act No. 214 of the Public Acts of 1899, as amended, being section 35.22 of the Compiled Laws of 1948, is hereby declared to be inoperative and the powers and duties of commission are hereby transferred to the county department of veterans' affairs created under the provisions of this act, and wherever soldiers' relief commission is used in Act No. 214 of the Public Acts of 1899, as amended, and Act No. 235 of the Public Acts of 1911, as amended, being sections 35.801 to 35.804 of the Compiled Laws of 1948, it shall mean the county department of veterans' affairs herein created.

History: 1953, Act 192, Eff. Oct. 2, 1953;—Am. 1958, Act 156, Eff. Sept. 13, 1958.

**35.623 Administrative committee of county department; selection of officers, expenses; veterans' service officer, appointment; offices.**

Sec. 3. The committee shall select a chairman and a secretary. The committee is authorized to incur such expense as shall be necessary in carrying out the provisions of this act within the budget set up by the board of supervisors. The members of the committee shall be entitled to receive the same per diem and mileage in attending meetings as members of the board of supervisors. The committee shall appoint a veterans' service officer and such other employees as shall be necessary from time to time to carry out the provisions of this act. In the selection of the veterans' service officer hereby authorized, the committee shall consult with and request the assistance of any association or council of organized veterans in such county, and any recommendation from such association or council of veterans as to the personnel to be appointed by said committee under the provisions of this act, while not binding on said committee, shall be given the greatest consideration. The board of supervisors shall furnish, equip and maintain reasonably adequate office facilities for the county department of veterans' affairs.

History: 1953, Act 192, Eff. Oct. 2, 1953.

**35.624 County department; powers and duties.**

Sec. 4. The county department of veterans' affairs shall perform such duties and exercise such powers as shall be necessary in carrying out the provisions of this act and any and all other benefits to which veterans

may be entitled as prescribed by the county department of veterans' affairs.

**History:** 1953, Act 192, Eff. Oct. 2, 1953.

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## WATER QUALITY BOARD

**DEPARTMENT:** Health Department

**CONTACTS:** Vicky Hartingh ~ 469-5219

**ORIGIN:** Board of Commissioners following the recommendation of the  
"Blue Ribbon Commission on Lake St. Clair" (1997)

### **LOGISTICS:**

- The Chair's office notifies the Director of the Managing Department of the expiration of any members and asks for a recommendation.
- Appointees submit a completed Application for Appointment to Chair's Office
- The Chair's office prepares a memo for inclusion in the Commissioners' packets, nominating the appointee and asking for their concurrence at the next Full Board meeting. The memo and application should be given to Corinne at least 10 days prior to the meeting.
- ♦ Following the vote of the Board of Commissioners, the Chair's office:  
Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

Members: 9 members

Tenure: The members shall serve a term of 3 years each or until their successors are duly appointed, except that of the members first appointed, three shall serve a term of 1 year, three shall serve a term of 2 years and three shall serve a term of 3 years.

Membership: 3 members from recognized environmental advocacy groups;

Designation: 1 township, village or city representative; 1 business community representative; 1 representative of the agricultural community; 2 County Commissioners (one from each party), 1 Citizen-at-Large (a resident of Macomb County).

### **FUNCTION:**

The Water Quality Board shall serve as advisors to the Board of Commissioners and shall make recommendations to the Health Services Committee of the Board of Commissioners which has the responsibility to deal with water quality issues. The Board shall work in collaboration with and provide advice to the Department of Public Health and other appropriate County departments and elected officials in response to concerns and citizen's complaints and shall make recommendations and findings as necessary.

## **COMMISSION ON WOMEN**

**DEPARTMENT:** Board of Commissioners

**CONTACTS:** Chair of Community Services Committee

**ORIGIN:** Board Resolution, Amended September, 2008

### **LOGISTICS:**

- Each Commissioner has the opportunity to appoint a candidate to serve on the Commission.
- The Chair's office prepares a memo for inclusion in the Commissioners' packets, nominating the appointee(s) and asking for their concurrence at the next Full Board meeting. The memo should be given to Corinne at least 10 days prior to the meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

Members: 26 members; 2 commissioner liaisons  
Tenure: The members shall serve a term of 2 years each starting Jan. 1, 2010  
Membership 26 members, each appointed by a Commissioner; 2 County Commissioners liaisons (one from each party)

### **FUNCTION:**

Conduct an ongoing study of matters concerning women in Macomb County, and report findings annually to the Board of Commissioner through the Community Services Committee on or before June 1. The Commission shall recommend solutions to problems facing the women of Macomb County.

# BOARD OF COMMISSIONERS

2008

RESOLUTION  
NO.

Five

*Official Resolution  
of the Board of Commissioners  
Macomb County, Michigan*

*Amendment to  
A Resolution to Establish a  
Commission on Women in Macomb County*

*Commissioners Kathy Tocco, Susan Doherty, Sarah Roberts and Carey Torrice,  
On Behalf of the Board of Commissioners,  
Offer the Following Resolution:*

*Whereas, the women in Macomb County need a vehicle to express their opinions, ideas and concerns; and*

*Whereas, the women in Macomb County should have a Commission on Women for information, advocacy and action; and*

*Whereas, improving women's health, safety, education, economic and social autonomy, earnings and employment are paramount to the continued growth of Macomb County.*

*Now Therefore Be It Resolved that the Macomb County Board of Commissioners establishes a Macomb County Commission on Women.*

*Be It Further Resolved that the Commission on Women shall conduct an ongoing study (forum) of matters concerning women in Macomb County, and that it shall report their findings annually to the Macomb County Board of Commissioners through the Community Services Committee on or before June 1, and recommend solutions to problems facing the women of Macomb County.*

*Be It Further Resolved that the Commission on Women shall meet six times a year with additional meetings as necessary to conduct the business of the commission.*

*Be It Further Resolved that membership of the Commission on Women shall consist of 26 representatives (Macomb County residents) appointed by their Macomb County Commissioner. The first term of membership will expire on December 31, 2009. Subsequent terms shall be for two years, commencing on January 1, 2010.*

*Be It Further Resolved that application for an appointment on the Commission shall be delivered to the Board of Commissioners for review by the commissioners.*

*Be It Further Resolved that members of the Commission on Women serve as volunteers and shall not be compensated.*


*Be It Further Resolved that until the Commission on Women elects a chairperson, the chairperson of the Community Services Committee shall appoint an interim chairperson.*

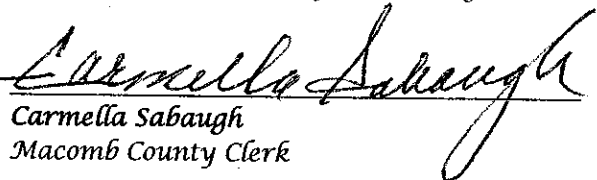
*Be It Further Resolved that one Republican and one Democrat from the Board of Commissioners will be assigned as liaisons on the Commission on Women and will be appointed by the Community Services Committee chair.*

*Be It Further Resolved that the powers of the Commission on Women include, but are not limited to:*

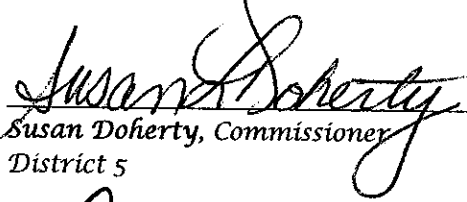
1. *Making recommendations for information, advocacy and action to the Macomb County Board of Commissioners through the Community Services Committee.*
2. *Enacting bylaws for its own governance. Said bylaws shall be reviewed by Corporation Counsel.*
3. *Holding regular public meetings, fact-finding hearings and other public forums it deems necessary.*

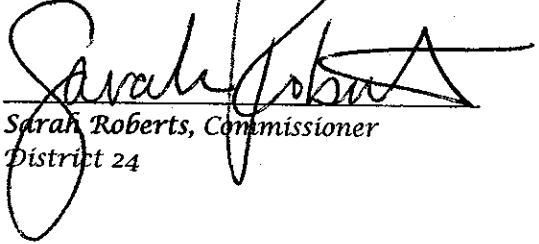
*Be It Further Resolved that the Commission on Women shall not be provided County support staff except, however, that one member of Board of Commissioner staff shall be responsible for posting notice of the meeting in conformity with the Open Meeting Act.*

  
William A. Crouchman, Chairman  
Macomb County Board of  
Commissioners

  
Carmella Sabaugh  
Macomb County Clerk

  
Kathy Tocco, Commissioner  
District 20

  
Susan Doherty, Commissioner  
District 5

  
Sarah Roberts, Commissioner  
District 24

  
Carey Torrice, Commissioner  
District 16

## ZOOLOGICAL AUTHORITY

**DEPARTMENT:** Corporation Counsel

**CONTACTS:** Jill Smith ~ 469-7394

**ORIGIN:** PA 49 (2008)

### **LOGISTICS:**

- The Chair's office issues a 60-Day YELLOW ALERT to all Commissioners and the Director of the managing department.
- The managing department sends letters to members with terms expiring within 60 days.
- The Chair's office issues a 30-Day MEMO, with an attached blank Application for Appointment form, to each Commissioner.
- Applications and letters of recommendation from the Post Commander should be given to Corinne at least 10 days prior to the Full Board meeting.
- Following the vote of the Board of Commissioners, the Chair's office:
  - Sends a letter of congrats to those appointed or reappointed.
  - Sends a copy to the overseeing agency/department.
  - Gives a copy of letter(s) to the Corinne.
  - Copies the main *Boards and Commissions* file.
  - Updates the *Boards and Commissions Master List* (located on the S-drive).

### **COMPOSITION:**

Members: 5 members  
Tenure: The members shall serve a term of 2 years each starting Jan. 1, 2010  
Membership 26 members, each appointed by a Commissioner; 2 County Commissioners liaisons (one from each party)

### **FUNCTION:**

The Macomb County Zoological Authority is authorized by Act 49 of Public Acts of Michigan 2008 (as may be amended from time to time, the "Zoo Act") to contract for zoological services with an accredited zoological institution (as defined in the Zoo Act, an "Accredited Institution") for the benefit of the residents of Macomb County and to pay for such services by levying a special tax if approved by the electors of Macomb County.

**ZOOLOGICAL AUTHORITIES ACT (EXCERPT)**  
**Act 49 of 2008**

**123.1169 Vacancy; removal; quorum; compensation; business conducted at public meeting; notice; availability of writings; election of officers; adoption of bylaws.**

Sec. 9. (1) A vacancy occurs on the board on the happening of any of the events set forth in section 3 of 1846 RS 15, MCL 201.3. Members of the board may be removed by the county board of commissioners for good cause after a public hearing. Vacancies shall be filled in the manner as provided for in the authority's articles of incorporation.

(2) A majority of the members of the board constitute a quorum for the purpose of conducting business and exercising the powers of an authority. Official action may be taken by an authority upon the vote of a majority of the board members present, unless the authority adopts bylaws requiring a larger number.

(3) A member of the board shall not receive compensation for services as a member of the board but is entitled to reimbursement for reasonable expenses, including expenses for travel previously authorized by the board, incurred in the discharge of his or her duties.

(4) The business that an authority may perform shall be conducted at a public meeting of the authority held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the meeting shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(5) A writing prepared, owned, or used by an authority in the performance of an official function shall be made available in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(6) At its first meeting, a board shall elect a chairperson, a secretary, a treasurer, and any other officers it considers necessary.

(7) A board may adopt bylaws to govern its procedures.

**History:** 2008, Act 49, Imd. Eff. Mar. 27, 2008.